



Queensland

Building Act 1975

Standard Building Regulation 1993

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Reprint No. 4B

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LAST REPRINT BEFORE REPEAL
See SIA s 56A(2) and SIR s 5 sch 3

Information about this reprint

This regulation is reprinted as at 1 May 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 reprints 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 reprints.**

Dates shown on reprints

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

Part 1 Preliminary

Division 1 Introduction

1 Short title

This regulation may be cited as the *Standard Building Regulation 1993*.

2 Regulation a code for IDAS

This regulation is a code for IDAS.¹

3 Interaction between this regulation and local planning instruments or local laws

- (1) For IPA, section 3.1.3(4), this regulation is a code that can not be changed under a local planning instrument or a local law.²
- (2) However, this regulation does not stop a local government making a planning scheme that—
 - (a) under part 3,³ identifies or states alternative provisions;
or
 - (b) under part 3A,⁴ states alternative acceptable solutions;
or

1 See IPA, schedule 10, definition of *code*.

2 Under IPA, section 3.1.3(5) (Code and impact assessment for assessable development), to the extent a local planning instrument or local law is inconsistent with the scope of this regulation, the instrument or local law is of no effect.

3 Part 3 (Requirements for siting, amenity and aesthetics)

4 Part 3A (Designated rainwater tank areas)

- (c) deals with building work in regard to matters not within the scope of this regulation.
- (3) For the following, the alternative provisions or alternative acceptable solutions apply as if they were part of this regulation—
 - (a) a building certifier assessing, under section 11,⁵ a building development application for compliance with the alternative provisions or alternative acceptable solutions;
 - (b) a building development application requiring advice from the local government under section 20;⁶
 - (c) appealing a decision on a building development application to which the alternative provisions or alternative acceptable solutions apply.⁷
- (4) However, for part 3, subsection (3) applies only if the building development application is for development that is exempt development or self-assessable development under a planning scheme.

4 Building work that is assessable against regulation

- (1) Subject to subsections (2) and (3), the carrying out of all building work is assessable against this regulation.
- (2) For IPA, schedule 8, part 2, item 7, the building work mentioned in schedule 5, part 1, of this regulation is self-assessable development if the building work complies with—
 - (a) a deemed-to-satisfy provision of BCA; or
 - (b) an acceptable solution stated in a part of QDC.
- (3) The building work mentioned in schedule 5, part 2, of this regulation is exempt development for IPA, schedule 8, part 3, item 11.

5 Section 11 (Building certifiers to assess applications)

6 Section 20 (Local government must consider certain matters)

7 See the *Integrated Planning Regulation 1998*, section 9 (Jurisdiction of tribunals—Act, s 4.2.7).

Division 2 Interpretation

5 Definitions

In this regulation—

AIBS means the Australian Institute of Building Surveyors.

allotment means a separate, distinct parcel of land on which a building is to be built, or is built.

alternative acceptable solution see section 51E(1).

alternative provisions means provisions mentioned in part 3⁸ that are—

- (a) identified or stated in a planning scheme; and
- (b) alternative to the provisions of QDC, part 11 or 12; and
- (c) qualitative statements or quantifiable standards.

another Act, for part 11, see section 111.

application document see section 14B(1).

approved, in relation to building work, means approved by the assessment manager, or a private certifier, under this regulation.

AS means Australian Standard published by Standards Australia.

assessment manager, for a development application to which this regulation applies, means the person who would have been the assessment manager if a private certifier had not been engaged for the development.

BCA means the Building Code of Australia.

builder, for part 8, see section 86.

building certifier, other than for parts 11 and 12, means—

- (a) if a private certifier who is an individual approves building work—the private certifier; or

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- (b) if a private certifier who is a person, other than an individual, or public sector entity approves building work—any of the person’s or entity’s private certifiers licensed to perform a building certifying function for the building work; or
- (c) if the assessment manager approves building work—any of the assessment manager’s building certifiers licensed to perform a building certifying function for the building work.

building development application means the aspect of a development application for building work requiring assessment against this regulation.

building referral agency means a referral agency under IPA for aspects of the building work assessed against this regulation.

certificate of classification, other than in sections 99 and 101, includes an interim certificate of classification prepared under section 99.

certificate of inspection, for part 8, see section 87E(2).

certified information means the technical details, particular plans, drawings or specifications given and certified by a competent person.

class, for a building, means its classification under BCA.

competent person, for building work, means a person who—

- (a) is assessed by the building certifier for the work as competent to practise in an aspect of the design, building or inspection of the building work because of the person’s skill and experience in the aspect; and
- (b) if the chief executive approves guidelines for assessing a person under paragraph (a)—is assessed by the building certifier according to the guidelines; and
- (c) is registered or licensed under a law applying in the State to practise in the aspect.

complies, for part 8, see section 84.

conviction, for part 11, see section 111.

CSIRO means the Commonwealth Scientific and Industrial Research Organization.

designated rainwater tank area see section 51B(1).

development information, for a building development application, means a document about the following—

- (a) the physical characteristics and location of infrastructure related to the application;
- (b) local government easements, encumbrances or estates or interests in land likely to be relevant to the application;
- (c) site characteristic information likely to affect the assessment of the application.

Examples of information mentioned in paragraph (c)—

- location of mine subsidence areas
- location of land-slip areas
- location of contaminated land
- details of any heritage listed buildings
- location of any erosion control districts
- flood level information
- design or location of vehicle crossings
- design or location of stormwater connections
- discharge of swimming pool backwash water
- limitations on the capacity of sewerage, stormwater and water supply services
- limitations on driveway gradients
- design levels of proposed road or footway works

erosion prone area see the *Coastal Protection and Management Act 1995*, schedule 2.

exempt development, for building work specified in schedule 5, part 2, has the meaning given under IPA.⁹

final inspection certificate, for part 8, see section 87K(2)(b).

⁹ IPA, schedule 10—

exempt development is development other than assessable or self-assessable development.

fire authority means the Queensland Fire and Rescue Service established under the *Fire and Rescue Service Act 1990*.

fire safety installation, for a building or structure, means any of the items mentioned in schedule 1.

floor area, for a single detached class 1 building, means the gross area of all floors in the building measured over the enclosing walls other than the area of a verandah, roofed terrace, patio, garage or carport in or attached to the building.

IDAS has the meaning given by IPA.¹⁰

inspected work, for part 8, see section 87D(1).

inspection documentation, for part 8, see section 87G(2).

IPA means the *Integrated Planning Act 1997*.

licence see section 111.

mean height, of a building or structure, means the height worked out by dividing—

- (a) the total elevational area of the building or structure facing the boundary; by
- (b) the horizontal length of the building or structure facing the boundary.

natural ground surface, for an allotment, means—

- (a) the ground level of the allotment on the day the first plan of survey showing the allotment was registered; or
- (b) if the ground level on the day mentioned in paragraph (a) is not known, the natural ground surface decided by the building certifier.

notice for inspection, for part 8, see section 86.

notice of reasons, for sections 26(1)(e) and 28(1)(a)(v), means a written notice that—

- (a) states—

¹⁰ IPA, section 3.1.1—

IDAS is the system detailed in this chapter for integrating State and local government assessment and approval processes for development.

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- (i) the performance standards on which the approval is based; and
 - (ii) how the building work complies with the performance standards; and
- (b) contains details of inspection or test results and other documents or information relied on to decide the application.

outermost projection, of a building, means the outermost projection of a structural part of the building including—

- (a) if the projection is a roof and there is a fascia—the outside face of the fascia; or
- (b) if the projection is a roof and there is no fascia—the roof structure;

but does not include rainwater fittings or ornamental or architectural attachments.

performance based solution means the material, system, method of building or other thing intended to be used by a person to comply with the performance standards.

performance standards means any of the following—

- (a) the performance requirements of BCA;
- (b) the performance criteria stated in QDC;
- (c) a requirement for building work for which a discretion may need to be exercised under the following—
 - (i) section 10(1)(d), 11 or 12 of the Act;
 - (ii) section 16, 17, 69 to 71, 94 or 110.

planning scheme has the meaning given under IPA.¹¹

pool enclosure means the area around the pool within the fencing required under the Act.¹²

prescribed qualifications, for different levels of licensing as a building certifier, means—

11 IPA, section 2.1.1—

A ***planning scheme*** is an instrument made by a local government under division 3.

12 See section 14 of the Act.

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- (a) the current education and experience accreditation issued by AIBS for the following levels of building certifier licensing—
 - (i) a building surveyor;
 - (ii) an assistant building surveyor;
 - (iii) a building surveying technician; or
- (b) any other education and experience accreditation AIBS considers is equivalent to education and experience accreditation issued by AIBS.

QDC means the Queensland Development Code.

qualitative statement means a statement about a performance or outcome sought to be achieved when applicable buildings or structures are completed.

quantifiable standard means a standard that achieves a qualitative statement.

Queensland Development Code see section 6A.¹³

relevant building work, for part 3A and schedule 5, see section 51A(1)(a).

road means—

- (a) an area of land dedicated to public use as a road; or
- (b) an area open to, or used by, the public and developed for, or has, as 1 of its main uses, the driving or riding of motor vehicles;

but does not include a pedestrian or bicycle path.

show cause notice, for part 11, see section 121F(1).

show cause period, for part 11, see section 121F(2)(c).

special fire service—

- (a) means—
 - (i) for a building—an item mentioned in schedule 2;¹⁴
 - or

¹³ Section 6A (Meaning of *Queensland Development Code*)

¹⁴ Schedule 2 (Special fire services (generally))

- (ii) for matters the fire authority must assess—an item mentioned in schedule 3;¹⁵ or
- (iii) for matters the fire authority must inspect—an item mentioned in schedule 4;¹⁶ but
- (b) does not include interconnected alarms in budget accommodation buildings under part 2A, division 3¹⁷ of the Act.

special structure means a structure that can not be classified under BCA, part A3.

spent conviction, for part 11, see section 111.

stages of building work, for part 8, see section 87(1).

suitable person, for part 11, see section 111.

tent means a temporary structure clad in canvas, plastic or similar material, with or without walls, supported by poles or similar supports and fastened to the ground using any of the following—

- (a) ropes;
- (b) pegs;
- (c) ballast.

Examples—

circus tent, box frame marquee

6 Meaning of available for inspection

- (1) A document mentioned in this regulation as being available for inspection is **available for inspection** if the document, or a certified copy of the document, is—
 - (a) for a document the local government must keep available for inspection—held in an office of the local

15 Schedule 3 (Special fire services (assessment by fire authority))

16 Schedule 4 (Special fire services (inspection by fire authority))

17 Part 2A (Fire safety for budget accommodation buildings), division 3 (Budget accommodation buildings built, approved or applied for, before 1 January 1992) of the Act

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- government and any other place decided by the local government; and
- (b) for a document the assessment manager must keep available for inspection—held in the assessment manager’s office and any other place decided by the assessment manager.
- (2) The document may be kept in its original form or stored in some electronic or other form or in a retrieval system by which an accurate representation of the document may readily be accessed.
- (3) If a person is authorised under this regulation to inspect the document, the person may, at any time when the office in which the document is held is open for business—
- (a) inspect the document or, if the document is stored in a form other than its original form, the accurate representation of the document; and
- (b) make copies of, or take extracts from, the document or its representation.
- (4) The following persons are authorised to inspect the document or its representation—
- (a) if this regulation specifies a description of a person who may inspect the document—the person and the person’s agents;
- (b) if this regulation does not specify a description of a person who may inspect the document—all persons.
- (5) If a person authorised to inspect the document applies to the local government or the assessment manager in the approved form for a copy of the document, or part of it, the local government or assessment manager must give the person the copy.
- (6) If the assessment manager is a local government, the local government may fix a fee under the *Local Government Act 1993*, section 1071A,¹⁸ for—

18 *Local Government Act 1993*, section 1071A (Power to fix regulatory fees)

- (a) giving the person a copy of the document; or
- (b) making the document available for inspection.

6A Meaning of *Queensland Development Code*

- (1) *Queensland Development Code* means the document, Queensland Development Code,¹⁹ published by the department.
- (2) In this regulation, a reference to a part of QDC is a reference to the part as at the date mentioned for the part in schedule 13, column 2.
- (3) Without limiting subsection (2), if a provision of this regulation mentions QDC and, for applying the provision, it is necessary to apply a part of QDC mentioned in schedule 13, the part applies as at the date mentioned for the part in the schedule.

7 References to proposed buildings or structures

In this regulation—

- (a) a reference to a building or structure includes a reference to a proposed building or structure; and
- (b) a reference to the owner of a building or structure is a reference to the person who, if the proposed building or structure were completed, would be its owner; and
- (c) a reference to a structural member of certain materials is a reference to a proposed structural member that, if erected as proposed, would be of the materials; and
- (d) a reference to the purpose of a building or structure is a reference to the purpose for which the proposed building or structure is to be used on completion.

¹⁹ Copies of the Queensland Development Code are available for inspection at the department's office at 41 George Street, Brisbane.

The Queensland Development Code is also available for inspection on the department's website at <www.lgp.qld.gov.au>.

Division 3 BCA

8 BCA forms part of regulation

BCA forms part of and is to be read as one with this regulation.

9 Proof of BCA

- (1) The production in any proceedings of a document purporting to be a copy of BCA published by the Australian Building Codes Board is evidence of the code.
- (2) The production in any proceedings of a certificate purporting to be signed by the chief executive of the department or by the mayor, chief executive officer or other duly authorised officer of an assessment manager or BSA and stating that a particular edition of BCA was the current edition at a specified time or during a specified period is evidence of the certificate's contents.

10 Relationship between BCA and Australian Standards

For any subject matter dealt with in BCA, any provision of an Australian Standard that also deals with the subject matter applies only so far as it is expressly adopted by BCA.

Division 4 QDC

10A Application of QDC

Building work must comply with each part of QDC mentioned in schedule 13 to the extent the part applies to the work.

10B Proof of QDC

The production in any proceedings of a document purporting to be a copy of QDC published by the department is evidence of the QDC.

10C Relationship between QDC and BCA

If a part of QDC mentioned in schedule 13 is inconsistent with BCA, the part prevails to the extent of the inconsistency.

Division 5 Guidelines**10D Application of div 5**

This division applies if the chief executive approves guidelines for matters within the scope of this regulation.

10E Public notice of guidelines

- (1) After approving the guidelines, the chief executive must give notice of the guidelines.
- (2) The notice must—
 - (a) be published in a newspaper the chief executive considers appropriate; and
 - (b) state the places where copies of the guidelines may be inspected or bought.

Part 2 Assessment of building development applications**Division 1 General****11 Building certifiers to assess applications**

- (1) Each building development application must be assessed by a building certifier for compliance with—
 - (a) this regulation; and
 - (b) to the extent a local law existing at the commencement of this section or a local planning instrument deals with

building work in regard to matters within the scope of this regulation—the local law or local planning instrument.²⁰

- (1A) However, if under this regulation, a part of QDC applies to an aspect of work for which a concurrence agency is stated under the *Integrated Planning Regulation 1998*, subsection (1)(a) does not apply to the extent assessment of the work against the part is within the concurrence agency’s jurisdiction.
- (2) If the application is made to the assessment manager, the assessment manager in deciding the application must base the decision on the building certifier’s assessment.²¹
- (3) Subsection (1)(b) does not apply to the extent the application has already been assessed for compliance with the local law or local planning instrument.
- (4) This section does not apply²² to the extent that an application must comply with QDC, part 20.²³

12 Building certifier’s discretion—BCA

- (1) This section applies if—
 - (a) BCA permits a discretionary decision (by, for example, using the word ‘suitable’ or ‘adequate’) about any material, system, method of building or other thing whatever; and
 - (b) under a building development application a person proposes to use the material, system, method of building or other thing whatever.
- (2) If this section applies, the building certifier—
 - (a) must, in assessing the application, decide whether the material, system, method of building or other thing complies with BCA, including whether—

20 See, for example, section 13 (Local law for fencing of swimming pools) of the Act.

21 If a private certifier acting as an assessment manager decides the application, see section 31 of the Act.

22 See the *Residential Services (Accreditation) Act 2002*, section 29 (Notice of compliance with prescribed building requirements).

23 QDC, part 20 (Residential Services Building Standard)

- (i) the parts of the building work, to which the performance requirements of BCA apply, comply with the requirements or the requirements as varied by the chief executive;²⁴ or
- (ii) the parts of the building work, to which the deemed-to-satisfy provisions of BCA apply, comply with the provisions; and
- (b) must not decide the application against the objectives or functional statements of BCA; and
- (c) may refer to the objectives and functional statements of BCA to assist the building certifier in interpreting the performance requirements of BCA.

13 Certificate of conformity

- (1) If there is a current recognised certificate about a building element, the element is, to the extent stated in the certificate, taken to comply with the BCA.
- (2) In this section—

building element means the properties and performance of a material, system, method of building or other thing relating to building work.

recognised certificate means a certificate of conformity issued by the Australian Building Codes Board or under the scheme known as the CodeMark Scheme administered by the Australian Building Codes Board.

13A Building certifier's discretion—QDC, table 1

- (1) This section applies for a building development application if—
 - (a) a part of QDC mentioned in schedule 13, table 1, applies to the application; and

²⁴ Under sections 5 and 6 of the Act, the chief executive may vary the application of this regulation.

- (b) the part allows a discretionary decision (by, for example, using the word ‘suitable’ or ‘adequate’) about a material, system, method of building or other thing; and
 - (c) under the application, a person proposes to use the material, system, method of building or other thing.
- (2) The building certifier or, if a concurrence agency is stated for an aspect of the building work under the *Integrated Planning Regulation 1998*, the concurrence agency, must, in assessing the application, decide whether the material, system, method of building or other thing complies with the part of QDC, including whether—
- (a) each aspect of the building work, to which the performance criteria stated in the part apply, complies with—
 - (i) the criteria; or
 - (ii) if the chief executive has, under section 5 of the Act, varied how the criteria apply to the work—the criteria as varied; or
 - (b) each aspect of the building work, to which an acceptable solution stated in the part applies, complies with the solution.

13B Local governments to assess compliance with performance criteria of QDC, pt 15

- (1) This section applies if—
- (a) a building development application to which QDC, part 15,²⁵ applies is made to a private certifier; and
 - (b) the application does not comply with an acceptable solution stated in the part.
- (2) The private certifier must not decide the application unless advice has been obtained under section 20²⁶ that the application complies with the performance criteria mentioned in the part that are relevant to the acceptable solution.

25 QDC, part 15 (Higher Risk Personal Appearance Services)

26 Section 20 (Local government must consider certain matters)

14 Application to build swimming pool must include fencing

A building development application for an outdoor swimming pool must relate also to the swimming pool fencing.

14A Applications to include site works

A building development application must relate also to site works—

- (a) required for the building work; and
- (b) assessable against this regulation.

14B Documents to accompany building development applications

- (1) This section applies to an architect, licensed builder, building designer or engineer who prepares a document (an *application document*) the person knows, or ought reasonably to know, is a supporting document for a building development application.
- (2) Each application document the person prepares must show the following—
 - (a) how the building work will comply with the Act;
 - (b) whether a permit, approval or consent mentioned in section 55A(2), 56 or 58 or IPA, section 5.3.5(4),²⁷ is necessary for an aspect of development related to the building work;
 - (c) if the building work relates to a permit, approval or consent mentioned in section 55A(2), 56 or 58 or IPA, section 5.3.5(4), that has not lapsed or been withdrawn—how the building work is consistent with the permit, approval or consent;
 - (d) if the building work relates to self-assessable development, declared under a planning scheme to be

²⁷ Section 55A (Development applications—on-site sewerage facilities), 56 (Building work over sewer or water main) or 58 (Building work over easements and subject to statutory covenants) or IPA, section 5.3.5 (Private certifier may decide certain development applications and inspect and certify certain works)

Standard Building Regulation 1993

- self-assessable development, that may affect the position, height or form of the building work—how the building work is consistent with requirements under the planning scheme for the self-assessable development;
- (e) if the building work requires site works that are—
- (i) assessable against this regulation—how the site works comply with the Act; or
 - (ii) self-assessable against this regulation—the site works' location and type.
- (3) If an application document proposes the use of a performance based solution, the person must prepare another document that—
- (a) states the performance standards with which the building work purports to comply; and
 - (b) states how the building work complies with the performance standards; and
 - (c) contains details of how the performance based solution is different from the deemed-to-satisfy provisions of BCA or the acceptable solutions of QDC; and
 - (d) contains details of inspection or test results and other documents or information relied on to prepare the application.
- (4) In this section—
- architect*** means a person registered as an architect under the *Architects Act 2002*.
- building designer*** means a person who holds, under the *Queensland Building Services Authority Act 1991*, a licence for the following licence classes—
- (a) building design—low rise licence;
 - (b) building design—medium rise licence;
 - (c) building design—open licence.²⁸

28 See the *Queensland Building Services Authority Regulation 2003*, schedule 2, parts 11 to 13.

engineer means a person registered as a registered professional engineer under the *Professional Engineers Act 2002*.

licensed builder has the meaning given under the *Queensland Building Services Authority Act 1991*.

supporting document means a document given or required to be given under IPA, section 3.2.1(3)(b).²⁹

14C Information on certain documents

- (1) A person mentioned in section 14B(1) must show on each application document prepared by the person—
 - (a) the person's name; and
 - (b) the person's registration or licence number.
- (2) However, if an application document does not show the information mentioned in subsection (1) (an **unmarked document**), the person must ensure the application documents prepared by the person are accompanied by another document that—
 - (a) states the person's name; and
 - (b) states the person's registration or licence number; and
 - (c) identifies each unmarked document.

14D Chief executive may approve guidelines

- (1) The chief executive may approve guidelines for preparing an application document.
- (2) A person preparing an application document is taken to comply with section 14B if the person prepares the document in accordance with the guidelines.

²⁹ IPA, section 3.2.1 (Applying for development approval)

Division 2 Alterations to existing buildings or structures

15 Application of div 2

- (1) This division applies—
 - (a) if alterations are proposed for an existing building or structure; and
 - (b) despite any other provision of this regulation applying to building work.
- (2) However, this division does not apply if the alterations are for a budget accommodation building, to which part 2A, division 3³⁰ of the Act applies, to ensure the building conforms with the fire safety standard.

16 Certain alterations not permissible

If this division applies, the proposed alterations must not unduly reduce the following—

- (a) the existing level of fire protection for persons accommodated in, or using, the building or structure;
- (b) the existing level of resistance to fire of the building or structure;
- (c) the existing safeguards against spread of fire to adjoining buildings or structures;
- (d) the existing level of emergency egress from the building or structure.

17 Development approval may require entire building or structure to conform

If this division applies, a development approval may require that a part of a building or structure, or the entire building or

30 Part 2A (Fire safety for budget accommodation buildings), division 3 (Budget accommodation buildings built, approved or applied for, before 1 January 1992) of the Act

structure, conform with all or part of this regulation as though the building or structure were a new building or structure if—

- (a) the proposed alterations, together with any previous structural alterations completed or approved within the previous 3 years, represent more than half the total volume of the original building, measured over the roof and the external walls; or
- (b) the safety of persons accommodated in or using the building or structure, or the risk of the spread of fire to adjoining buildings or structures, warrants the requirement.

18 Alterations associated with a change of classification

If this division applies and the alterations relate to a change of classification from a class to another class, part 10³¹ also applies.

Division 3 Advices from local government

19 Public access to development information

- (1) To assist in the making and assessing of building development applications, a local government must keep available for inspection the original or a copy of all development information it has.
- (2) For the purposes of purchasing a copy of development information, subsection (1)(b) does not apply to development information that may be purchased from the registrar of titles.
- (3) If a person applies to the local government in the approved form for development information, the local government must give the person a copy of the development information on payment of the fee fixed by the local government under the *Local Government Act 1993*, section 1071A.³²

31 Part 10 (Changes of classification)

32 *Local Government Act 1993*, section 1071A (Power to fix regulatory fees)

20 Local government must consider certain matters

- (1) This section applies if—
 - (a) a building development application involves a matter mentioned in schedule 6;³³ and
 - (b) the local government is the assessment manager; and
 - (c) the application is made to a private certifier; and
 - (d) the local government has not already given written advice about the matter, including, for example, a preliminary approval.
- (2) If the local government is asked to consider a matter mentioned in schedule 6, the local government must give written advice on the request to the private certifier and the applicant within—
 - (a) for building work in relation to a single detached class 1 building or class 10 building or structure only—5 business days after receiving the request; or
 - (b) for other building work—15 business days after receiving the request.
- (3) Subject to subsection (4) and section 51, the private certifier must not decide the application unless the local government has given written advice on the matter.
- (4) If the local government has not given the advice to the private certifier and the applicant within the time mentioned in subsection (2), the private certifier may act as if the local government had advised the application is unsatisfactory in relation to the matter.
- (5) However, if the local government gives the advice after the time mentioned in subsection (2) but before the private certifier acts under subsection (4), the private certifier must accept the advice and act on it.
- (6) Subsections (4) and (5) do not apply if the matter is about the amenity and aesthetic impact of the proposed building work.³⁴

33 Schedule 6 (Building work requiring local government approval or decision)

34 See section 51 (Request to local government about amenity and aesthetics).

- (7) Subject to section 21, the private certifier must accept the advice and act on it.

21 Appeals from local government

- (1) This section applies to advice given under section 20.
- (2) If the applicant is dissatisfied with the advice, the applicant (the *appellant*) may appeal to a building and development tribunal.
- (3) An appeal must be started within—
 - (a) 20 business days after the advice is given to the applicant; or
 - (b) 20 business days after the decision on the building development application is made.
- (4) If an appeal is started under subsection (3)(a), the appellant must advise the private certifier the appeal has been started.
- (5) If a private certifier has received advice that an appeal has been started under subsection (3)(a), the private certifier must not decide the application until the appeal is decided or withdrawn.

Division 4 Drawings and certificates

22 Engineering drawings required for certain developments

- (1) This section applies if, in relation to a building development application, engineer's drawings or other engineering details are required.
- (2) If the drawings or details are not included with the application, the application must not be approved unless the approval is subject to the condition that—
 - (a) work on the footings must not start until the drawings and details for the footings have been approved; and
 - (b) a stage of the building work must not be started until the drawings and details for the stage have been approved.

23 Optional acceptability of certificates

- (1) A competent person may certify that a material, system, method of building or other thing whatever to which certified information relates will, if installed or carried out in accordance with the certified information, comply with the Act.
- (2) Subject to compliance with part 8,³⁵ a competent person may certify the person is satisfied on an inspection, completed in accordance with best industry practice, of a stage, or aspect of a stage, of the work that the stage or aspect complies with the Act and the development permit for the work.
- (3) A building certifier may accept in good faith and, without further checking, rely on the certification mentioned in subsection (1) or (2) to the extent compliance is certified.
- (4) The building certifier must keep a record—
 - (a) containing details of the documents or information relied on by the building certifier in deciding the person giving the certificate is a competent person; and
 - (b) stating the building certifier's reasons for considering the person giving the certificate to be a competent person.
- (5) The record must be kept for at least 5 years after the day the building certifier receives the certificate.
- (6) The competent person must set out in detail in the certification—
 - (a) the basis for giving the certificate; and
 - (b) the extent to which the person has relied on tests, specifications, rules, standards, codes of practice or other publications.
- (7) If the certificate is given in the approved form, the form of the certificate must be accepted by a building certifier.

23A False or misleading documents

- (1) A competent person must not, under section 23, give an assessment manager or a building certifier a document containing information the person knows is false or misleading in a material particular.
- (2) Subsection (1) does not apply to a person if the person, when giving the document—
 - (a) tells the assessment manager or building certifier, to the best of the person's ability, how it is false or misleading; and
 - (b) if the person has, or can reasonably obtain, the correct information—gives the correct information to the assessment manager or building certifier.
- (3) It is enough to state that the document was, without specifying which, false or misleading.

24 Signature of competent persons on documents

- (1) This section applies to certified information given as part of a building development application.
- (2) The name and signature of the competent person giving the certified information must be on the certified information.
- (3) If the certified information is prepared on behalf of a corporation or firm, the name of the corporation or firm must also be on the certified information.
- (4) The certificate supporting the certified information must be personally signed by the competent person.³⁶

25 Assessment manager must accept certificate of private certifier

- (1) This section applies to a certificate or notice a private certifier is authorised to give to an assessment manager under IPA or the *Building Act 1975* (including this regulation).

³⁶ The certificate is taken to comply with this subsection if the requirements of the *Electronic Transactions (Queensland) Act 2001*, section 14 (Requirement for signature) are complied with.

- (2) If an assessment manager is given a certificate or notice by a private certifier, the assessment manager must—
 - (a) accept the certificate or notice in good faith; and
 - (b) without further checking, rely and act on the certificate or notice.

Division 5 Giving, accessing and keeping information

26 Information private certifier must give to assessment manager

- (1) The following documents are prescribed for IPA, section 5.3.5(6)³⁷—
 - (a) a copy of the plans, drawings and specifications lodged by the applicant;
 - (b) a list of required fire safety installations and required special fire services applying to the building work;
 - (c) copies of certified information given by competent persons and relied on by the private certifier;
 - (d) a list, in the approved form, of development information relied on by the private certifier to decide the building development application;
 - (e) if the application relates to building work that uses a performance based solution—a notice of reasons.
- (2) The private certifier must ensure each document is marked to identify it as a document—
 - (a) approved by the private certifier; and
 - (b) relating to the development approval.

Maximum penalty—20 penalty units.

³⁷ IPA, section 5.3.5 also requires a copy of the application and decision notice to be given to the assessment manager.

- (3) If a document is not marked as required by subsection (2) (an ***unmarked document***), the private certifier must give the assessment manager another document—
- (a) identifying the edition number, if any, of the unmarked document; and
 - (b) marked to identify each unmarked document as a document—
 - (i) approved by the private certifier; and
 - (ii) relating to the development approval.
- Maximum penalty—20 penalty units.
- (4) Before giving the documents to the assessment manager, the private certifier must ensure the approved form for the application³⁸ is completed.
- (5) If the assessment manager agrees, the documents mentioned in this section may be sent to the assessment manager electronically.

26A Documents to be kept by private certifier—IPA, s 5.3.17

- (1) For IPA, section 5.3.17, the private certifier must keep a copy of—
- (a) the documents mentioned in section 26(1); and
 - (b) the development information relied upon by the private certifier to decide the application.
- (2) The documents mentioned in subsection (1) must be kept for 5 years after—
- (a) for building work for single detached class 1a buildings or class 10 buildings or structures—the day the private certifier gives the person mentioned in section 87K(1)³⁹ a final inspection certificate; or
 - (b) for assessable building work, other than building work mentioned in paragraph (a)—the day the certificate of classification is issued; or

38 See IPA, section 3.2.1(2) (Applying for development approval).

39 Section 87K (Building certifier to give owner documents)

- (c) if the approval for the building work lapses—the day the approval lapses.

Maximum penalty for subsection (2)—20 penalty units.

27 Applicant to be given a copy of any drawings

If a building development application is approved, the person approving the application must return to the applicant a set of the approved drawings.

28 Assessment manager must keep drawings and documents

- (1) For building development applications for class 2 to 9 buildings the assessment manager must keep the following documents until the building is demolished or removed—
 - (a) if the assessment manager approved the application—
 - (i) a copy of the application;⁴⁰ and
 - (ii) a copy of the plans, drawings, specifications and other documents and information lodged by the applicant, stamped approved or otherwise endorsed by the assessment manager; and
 - (iii) a list of required fire safety installations and required special fire services applying to the building work; and
 - (iv) copies of certified information given by competent persons and relied on by the assessment manager; and
 - (v) if the application relates to building work that uses a performance based solution—a notice of reasons;
 - (b) if the application was approved by a private certifier—the documents given to the assessment manager under IPA, section 5.3.5(6).

⁴⁰ Under IPA, section 5.7.4 the assessment manager is required to also keep a copy of the development approval.

- (2) For building development applications for a class 1 or class 10 building or structure, or for a special structure, the assessment manager must keep the documents mentioned in subsection (1)(a) and (b) for at least 10 years or until the building or structure is earlier demolished or removed.
- (3) All documents kept by the assessment manager under subsections (1) and (2) must be available for inspection by—
 - (a) the owner of the building or structure; and
 - (b) a person authorised in writing by the owner; and
 - (c) a person authorised by the fire authority; and
 - (d) a private certifier engaged to carry out building certifying functions concerning the premises to which the documents relate; and
 - (e) a member of a tribunal; and
 - (f) a person performing audits of licences under the Act; and
 - (g) with the consent of the local government, another person.

28A Assessment manager must give owner documents

- (1) For IPA, section 3.5.15(6)⁴¹—
 - (a) a prescribed owner is—
 - (i) the owner of the following—
 - (A) a single detached class 1a building;
 - (B) a class 10 building or structure; and
 - (ii) is the person nominated on the approved form under IPA, section 3.2.1(2), as the person to receive documents; and
 - (b) the prescribed documents are—
 - (i) a copy of the decision notice; and
 - (ii) the approved plans for the work.

41 IPA, section 3.5.15 (Decision notice)

- (2) In this section—
decision notice see IPA, section 3.5.15(1).

Division 6 Permit conditions

29 Requirement for survey certificates

- (1) A building certifier may, before assessing a building development application, require an identification survey showing—
- (a) the boundaries of the allotment on which the building work is proposed; and
 - (b) the location of any proposed or existing buildings or structures on the allotment.
- (2) A development approval may be subject to a condition that an identification survey be given to the building certifier showing—
- (a) the boundaries of the allotment; and
 - (b) the actual situation of the building or structure on the allotment.
- (3) A survey under subsection (2) must be given as soon as the actual location of the building or structure on the allotment can be established or at a later time the building certifier allows.

30 When demolition, removal and rebuilding starts and finishes

- (1) This section applies only to a building development application relating to—
- (a) the demolition of a building or structure; or
 - (b) the removal of a building or structure; or
 - (c) the rebuilding after removal, of a building or structure.

- (2) The approval of the application must impose a condition that the building work be—
 - (a) started within 2 months of the approval; and
 - (b) completed within 6 months after the giving of the approval.

30A Conditions for building work in erosion prone area

- (1) This section applies to a building development application for building work in an erosion prone area.
- (2) The assessment manager for the application must impose the following conditions on a development approval for the application—
 - (a) all material excavated from land for the building work must be placed, levelled and stabilised against wind erosion—
 - (i) on the land seaward of the building or structure; or
 - (ii) at another location, stated in the approval, within the erosion prone area;
 - (b) if the building work includes the erection or alteration of a roof drainage system or stormwater drain for the building or other structure—the roof drainage system or stormwater drain must not be erected or altered in a way that is likely to cause erosion of the area.
- (3) However, the assessment manager may approve the application without imposing a condition under subsection (2) if the assessment manager is satisfied the condition is not necessary for coastal management, including, in particular, the prevention of erosion or tidal inundation.
- (4) In this section—

assessment manager, for a building development application, includes a private certifier authorised to receive, assess and decide the application.

31 Extension of period

- (1) If a private certifier, acting as an assessment manager, approves a building development application, the private certifier may extend the period within which the building work is required to start or finish.⁴²
- (2) However, if subsection (1) has been applied to a development approval, the private certifier may further extend the period only after consulting the local government about the proposed extension.

32 Mandatory conditions for class 2–9 buildings

The applicant for a development approval for a class 2 to 9 building must ensure that 1 legible set of the current drawings for the development is available for inspection on the building site while the building work is in progress.

Division 7 Miscellaneous**33 Information to be given by the State to local government**

- (1) The information prescribed for section 48 of the Act is—
 - (a) a 1:100 scale drawing of the building or structure showing floor plans and elevations; and
 - (b) a site plan of a scale enabling the local government to provide water supply, sewerage and stormwater drainage for the land on which the building work is to be carried out.
- (2) However, if the Minister responsible for the building work to which this section applies considers the giving of the information mentioned in subsection (1)(a) is not in the public interest, subsection (1)(a) does not apply.

⁴² In IPA, this period is called the *currency period*.

- (3) The provisions of QDC, parts 11 and 12, apply to the buildings or structures only to the extent the planning scheme states the provisions apply.

36 Local governments to assess compliance with alternative provisions and performance criteria of QDC, pts 11 and 12

- (1) This section applies to a building development application made to a private certifier if—
- (a) the application involves only development that is exempt development or self-assessable development under a planning scheme; and
 - (b) QDC, part 11 or 12, or the alternative provisions apply to the application; and
 - (c) either—
 - (i) if there are alternative provisions that state a quantifiable standard that applies to the application—the proposed building or structure does not comply with the quantifiable standard stated in the alternative provisions; or
 - (ii) if subparagraph (i) does not apply but there is an acceptable solution stated in QDC, part 11 or 12, that applies to the application—the proposed building or structure does not comply with the acceptable solution stated in the part.
- (2) The private certifier must not approve the application unless advice has been obtained under section 20⁴³ that the application complies with—
- (a) if there is a relevant qualitative statement stated in the alternative provisions—the qualitative statement; or
 - (b) otherwise—a relevant performance criterion mentioned in QDC, part 11 or 12.

43 Section 20 (Local government must consider certain matters)

50 Local government declaration about amenity and aesthetics on methods of building and locality

- (1) A local government, by resolution, may declare, for single detached class 1 buildings or class 10 buildings or structures, localities and forms of buildings and structures the local government considers—
 - (a) may have an extremely adverse effect on the amenity or likely amenity of a locality; or
 - (b) may be in extreme conflict with the character of a locality.
- (2) Building development applications for forms of buildings or structures in localities mentioned in subsection (1) must be assessed by the local government for the amenity and aesthetic impact of the proposed building work.
- (3) The local government may refuse an application to which subsection (2) applies only if—
 - (a) the building or structure, when built, will have an extremely adverse effect on the amenity or likely amenity of the building's or structure's neighbourhood; or
 - (b) the aesthetics of the building or structure, when built, will be in extreme conflict with the character of the building's or structure's neighbourhood.

51 Request to local government about amenity and aesthetics

- (1) This section applies to a building development application made to a private certifier that must be assessed under section 50.
- (2) The private certifier must not approve the application unless advice has been given in accordance with section 20 regarding the amenity and aesthetic impact of the proposed building work.
- (3) Despite section 20(4), if the advice was not given to the private certifier and the applicant within the time mentioned in section 20(2)(a), the advice is taken to have been that—

- (a) the building or structure, when built, will not have an extremely adverse effect on the amenity or likely amenity of the building's or structure's neighbourhood; and
 - (b) the aesthetics of the building or structure, when built, will not be in extreme conflict with the character of the building's or structure's neighbourhood.
- (4) Subject to section 21, the private certifier must accept the advice and act on it.

Part 3A Designated rainwater tank areas

Division 1 Preliminary

51A Application of pt 3A

- (1) This part applies to—
- (a) the construction of a class 1 building in a service area for a retail water service within a designated rainwater tank area (*relevant building work*); and
 - (b) the assessment, under part 2, of relevant building work.
- (2) This part does not apply to alterations or additions to existing class 1 buildings.

- (3) In this section—

retail water service means a retail water service under the *Water Act 2000*.

service area means a service area under the *Water Act 2000*.

Division 2 Designation of rainwater tank area

51B Designation by local planning instrument of rainwater tank area for QDC, pt 25

- (1) Subject to section 51C, a local government may, in a local planning instrument, designate all or part of its area as a rainwater tank area for QDC, part 25 (a *designated rainwater tank area*).⁴⁴
- (2) The local planning instrument must state whether water from a rainwater tank installed as part of relevant building work can be used—
 - (a) both—
 - (i) for a use external to the building; and
 - (ii) for a use, internal to the building, that is the flushing of each toilet and the use of a cold water tap for each washing machine; or
 - (b) for a use external to the building only.

Example of a use external to a building—
watering grassed areas using a garden hose
- (3) On the making of the designation—
 - (a) any building development application for relevant building work must provide for the installation of a rainwater tank for the building; and
 - (b) subject to section 51E, the provisions of QDC, part 25, apply for any assessment of the work.
- (4) The local government must ensure its planning scheme maps show each of its designated rainwater tank areas.
- (5) The maps must state when each designation was made.
- (6) In this section—

planning scheme maps means maps used in a planning scheme.

44 QDC, part 25 (Rainwater tanks)

51C Justification for designating rainwater tank areas

A local government may designate all or part of its area as a rainwater tank area under section 51B(1) only if the local government decides that the installation of rainwater tanks for relevant building work is justified, taking into account the costs and benefits to the community.

51D Guidelines for justifying designation of rainwater tank areas

- (1) The chief executive may approve guidelines to help a local government make a decision under section 51C.⁴⁵
- (2) A local government must have regard to the guidelines, if any, in making the decision.

Division 3 Other provisions**51E Alternative acceptable solution in local planning instrument**

- (1) A local government may, in a planning scheme, state a solution (an *alternative acceptable solution*) that is alternative to an acceptable solution stated in QDC, part 25.
- (2) However, subsection (1) applies only if the local government is, under the acceptable solution, permitted to state the alternative acceptable solution.

Note—

See QDC, part 25, A1(a).

- (3) If a planning scheme states an alternative acceptable solution that applies to relevant building work in a designated rainwater tank area, the alternative acceptable solution applies to the work.

⁴⁵ See Part 1 (Preliminary), division 5 (Guidelines).

51F Local governments to assess compliance with performance criteria of QDC, pt 25

- (1) This section applies if—
 - (a) a building development application for relevant building work is made to a private certifier; and
 - (b) either of the following applies to the work—
 - (i) an alternative acceptable solution;
 - (ii) an acceptable solution stated in QDC, part 25; and
 - (c) the application does not comply with the alternative acceptable solution or the acceptable solution stated in the part.
- (2) The private certifier must not decide the application unless advice has been obtained under section 20⁴⁶ that the application complies with the performance criteria mentioned in QDC, part 25, that are relevant to the alternative acceptable solution or the acceptable solution stated in the part.

Part 4 Site works

52 Earthworks and retaining walls

If soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings and structures in the neighbourhood of proposed building work—

- (a) retaining walls must be built or other suitable methods used for preventing the movement of the soil; and
- (b) drainage of the building or land must be provided.

53 Land liable to flooding

- (1) A local government, by resolution, may declare—

46 Section 20 (Local government must consider certain matters)

- (a) land to be liable to flooding (including by tidal surge or sewerage discharge); and
 - (b) the level to which the floor levels of habitable rooms must be built.
- (2) The local government must—
- (a) keep a register of the resolutions and the information supporting the resolution; and
 - (b) keep the resolutions available for inspection.

54 Drainage of buildings or land

If a building or land is to be drained provision must be made to protect land, buildings and structures in the neighbourhood.

55 Bush fire prone areas

- (1) A local government may, in a local planning instrument, designate all or part of its area as a designated bush fire prone area for BCA.
- (2) The local government must ensure the local government's planning scheme maps show the designated bush fire prone areas.
- (3) A development approval for building work in a designated bush fire prone area must comply with the bushfire protection provisions of BCA.
- (4) Subsections (5) and (6) apply if it is not practicable for the local government to show the designated bush fire prone areas in its planning scheme maps.
- (5) The local government must—
 - (a) prepare maps showing all designated bush fire prone areas in its area; and
 - (b) keep the maps updated to show all its current designated bush fire prone areas; and
 - (c) keep the maps available for inspection.
- (6) The maps must state when each designation was made.

55A Development applications—on-site sewerage facilities

- (1) This section applies to a development application for building work if proposed works relating to the development include installing or changing an on-site sewerage facility on premises.
- (2) An assessment manager or private certifier may give a development permit for the application only if an approval under the *Plumbing and Drainage Act 2002*, section 96 or 100,⁴⁷ has been given for the works.

Maximum penalty—20 penalty units.

- (3) In this section—

on-site sewerage facility means an on-site sewerage facility as defined under the *Plumbing and Drainage Act 2002*.

56 Building work over sewer or water main

- (1) This section applies if a building development application made to a private certifier proposes building work over or adjacent to a sewer or water main.
- (2) The private certifier must not approve the application unless the local government has granted the necessary approvals under the *Water Act 2000*.

Maximum penalty—20 penalty units.

- (3) For subsection (1), building work is over or adjacent to sewerage if the offset of the nearest point of the building work from the centre line of the sewerage is a distance less than the depth to the invert of the sewerage.

57 Building work over existing sanitary drainage

Building work over or adjacent to existing sanitary drainage must comply with AS/NZS 3500.2.2:1996 (National plumbing and drainage), part 2.2 (Sanitary plumbing and

⁴⁷ *Plumbing and Drainage Act 2002*, section 96 (Approval for on-site sewerage facilities) or 100 (Approval to build or install on-site sewerage facility for testing purposes)

drainage—Acceptable solutions) to the extent the standard applies to buildings over sanitary drainage.

58 Building work over easements and subject to statutory covenants

- (1) A building development application for building work over land in an easement or subject to a statutory covenant must not be approved unless the holders of registered interests in the easement or covenant consent to the building work.

Maximum penalty—20 penalty units.

- (2) In this section—

statutory covenant means a covenant for which the registered holder of the covenant is—

- (a) the State; or
- (b) a statutory body representing the State; or
- (c) a local government.

Part 5 Swimming pool fencing

59 Application of pt 5

This part prescribes matters under part 3⁴⁸ of the Act.

60 Fencing standards for outdoor swimming pools constructed on or after 1 October 2003

- (1) For the Act, section 12U(1)(b),⁴⁹ the standards prescribed for an outdoor swimming pool on residential land are—
- (a) the standard for the design, building and performance of swimming pool fencing in AS 1926.1—1993,

48 Part 3 (Swimming pool fencing) of the Act

49 Section 12U (Meaning of *fencing standards*) of the Act

Swimming pool safety part 1: Fencing for swimming pools, other than clause 2.14 of the standard; and

- (b) the standard for the location of fencing contained in AS 1926.2—1995, Swimming pool safety part 2: Location of fencing for private swimming pools, other than clause 1.4.4 of the standard.
- (2) However, the standards prescribed do not include clauses 2.3, 2.6 and 2.7 of the standard mentioned in subsection (1)(a) for any part of the fencing of the pool if—

- (a) the inside of that part of the fencing is at least 1.8m high above ground level; and
- (b) the surface on which that part of the fencing is built is difficult for a young child to dig through or under to gain access to the pool; and

Examples of surfaces that are difficult for a young child to dig through or under—

surfaces that consists of concrete, gravel, lawn or pavers

- (c) there is a clear span, measured as a radius, of at least 900mm at all angles from the top of that part of the fencing to—
 - (i) anything that projects from the ground on the inside of the fencing; and
 - (ii) any part of the inside of the fencing that has a horizontal, or substantially horizontal, surface and is more than 10mm deep or wide; and

Examples of what may be a part of the inside of the fencing—

a bracing, rail, rod or wire and an indentation into or projection from the surface of the inside of the fencing

- (iii) the top of any other part of the fencing if the top is more than 50mm wide; and
- (d) if that part of the fencing is made of perforated materials or mesh, the apertures in the perforated materials or mesh are not more than 13mm.

- (3) In this section—

inside, of the fencing, means the side of the fencing of the pool that faces the pool.

61 Resuscitation sign requirements and display—Act, s 15

- (1) This section prescribes, for section 15(2) of the Act—
 - (a) the way a resuscitation sign for an outdoor swimming pool on residential land must be displayed; and
 - (b) the requirements for the sign.
- (2) The sign must—
 - (a) be attached to the fencing for the pool, or displayed near the pool, so that the sign is conspicuous and easily visible to a person near the pool; and
 - (b) be at least 300mm x 300mm in size; and
 - (c) be made of durable and weatherproof material; and
 - (d) include a statement that is prominent on the sign, explaining to a person reading the sign how to act in an emergency, including, for example, telephoning for an ambulance, staying with the injured person, calling for help and providing first aid; and

Example—

In an emergency phone 000 and ask for ambulance.

Stay with injured person, call for help and resuscitate.

 - (e) at a minimum, show enough information about the procedures for providing first aid to enable a person reading the sign to perform expired air resuscitation or cardiopulmonary resuscitation on an infant or young child.
- (3) Each diagram or letter on the sign must be durable, legible and clearly visible.

62 Warning sign requirements and display—Act, s 16A

- (1) This section prescribes, for section 16A(2)(a) of the Act—
 - (a) the way a warning sign must be displayed on residential land before the construction of an outdoor swimming pool on the land; and
 - (b) the requirements for the sign.
- (2) The sign must—

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- (a) warn members of the public in the vicinity of the land that—
 - (i) a swimming pool is under construction on the land; and
 - (ii) there is a potential danger to young children accessing the land; and

Example of what sign must state—

‘Danger. Swimming pool under construction. Keep children out.’
- (b) subject to subsection (4), be placed on, or within 1.5m of, the road frontage for the land; and
- (c) be mounted so that the bottom of the sign is at least 300mm above ground level; and
- (d) be positioned so that it is visible from the road; and
- (e) be made of weatherproof material.
- (3) Any lettering on the sign that relates to the warning mentioned in subsection (2)(a) must be at least 50mm in height and in a bold style.
- (4) If the land has more than 1 road frontage, a sign is not required to be placed on more than 1 road frontage for the land.
- (5) The sign may include a reference to a matter other than the warning mentioned in subsection (2)(a).
- (6) In this section—

road frontage, for land, means—

 - (a) if the only access to the land is across other land—the boundary between the other land and any road adjoining the other land at the point of access; or
 - (b) if paragraph (a) does not apply—the boundary between the land and any road adjoining the land.

63 Applications to private certifiers

- (1) This section applies if—

- (a) a building development application for building work for a swimming pool constructed, or to be constructed, on residential land is made to a private certifier; and
 - (b) the application does not provide for the construction of fencing complying with the fencing standards prescribed under section 60; and
 - (c) the applicant is seeking exemption under section 16C⁵⁰ of the Act for the purposes of the non-compliance under paragraph (b).
- (2) The private certifier may approve the application only if—
- (a) the local government grants the exemption; and
 - (b) the application complies with the exemption and any conditions on the exemption.

64 Local government to keep register of exemptions

The local government must—

- (a) keep a register of exemptions under part 3 of the Act; and
- (b) make the register available for inspection.

Part 6 Temporary and special structures

69 Temporary buildings or structures

- (1) This section applies to a building development application for a temporary building or structure that will not comply with the other provisions of this regulation.
- (2) The application must not be approved unless the temporary building or structure—

⁵⁰ Section 16C (Application for exemption from fencing) of the Act

- (a) will be structurally sound and capable of withstanding the loadings likely to arise from its use; and
- (b) will reasonably provide for—
 - (i) the safety of persons to be accommodated in the building or structure if there is a fire including means of egress; and
 - (ii) the prevention of fire; and
 - (iii) the suppression of fire; and
 - (iv) the prevention of the spread of fire; and
 - (v) the health and amenity of persons to be accommodated in the building or structure.
- (3) Before assessing an application for a temporary building or structure that has any of the special fire services mentioned in schedule 2, the building certifier must obtain from the fire authority a report on the suitability of the proposed fire services.
- (4) The approval of the application must impose a condition that—
 - (a) limits the time for which the temporary building or structure may remain in place; and
 - (b) requires removal or demolition of the temporary building or structure at the end of the time.

70 Special structures

A building development application for a special structure must not be approved, unless the special structure—

- (a) complies with this regulation; and
- (b) will reasonably provide for—
 - (i) the safety of persons using the structure if there is a fire (including means of egress); and
 - (ii) the prevention of fire; and
 - (iii) the suppression of fire; and
 - (iv) the prevention of the spread of fire; and

- (v) the health and amenity of persons using the structure.

71 Additional conditions for hazardous buildings

- (1) A development approval for a hazardous building may impose conditions a building certifier considers appropriate directed to restricting or combating the spread of fire in or from the building.
- (2) A development approval must not impose conditions under subsection (1) unless the building certifier has consulted the fire authority on the appropriateness of the conditions.
- (3) In this section—
hazardous building means a class 5, 6, 7 or 8 building—
 - (a) with a total floor area greater than 36000m²; or
 - (b) for which the building certifier considers special provision should be made to restrict or combat the spread of fire within or from the building because of the purpose or purposes for which the building is being or is to be used.
- (4) Subsection (1) does not limit the other provisions of this regulation.

Part 7 Floating buildings

72 Definitions

In this part—

floating building means a permanently moored floating building built on a flotation system and not intended for, or useable in, navigation.

metacentre, in relation to a floating building, means the intersection of the verticals through the centre of buoyancy of the floating building when in equilibrium and when tilted.

metacentric height, in relation to a floating building, means the distance between the centre of gravity and the metacentre.

73 Application of pt 7

This part is in addition to, and not in substitution for, other provisions of this regulation which apply to floating buildings.

74 Access

- (1) A floating building must have—
 - (a) if more than 1 exit is required by this regulation—at least 1 permanent access for each required exit; or
 - (b) if paragraph (a) does not apply—at least 1 permanent access.
- (2) The permanent access must be a gangway, bridge or similar structure—
 - (a) at least 1m wide measured clear of all obstructions; and
 - (b) giving access to—
 - (i) the shore; or
 - (ii) a pontoon, float or wharf or similar structure at least 1.5m wide measured clear of handrails and giving permanent access to the shore.
- (3) However, a development approval may require a greater width than the width mentioned in subsection (2) if, having regard to the number of persons likely to be accommodated in the floating building, it is necessary in the interests of safety.

75 Flotation system

A floating building must be provided with a flotation system which—

- (a) extends—
 - (i) over the total plan area of the superstructure disregarding projections such as roof overhangs, bay windows, enclosed decks and other architectural features; and

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- (ii) to within 2m of such projections; and
- (b) is a solid structure of reinforced concrete; and
- (c) is a fully enclosed cellular construction with voids provided for buoyancy filled with expanded polystyrene or similar durable foam material; and
- (d) is watertight; and
- (e) is provided with a timber buffer or the like to protect it from minor accidental impact; and
- (f) is designed—
 - (i) to maintain positive stability with a minimum measurement of not less than 250mm from the waterline to the top edge of the flotation system under the most adverse combination of loads to which the floating building is likely to be subject including dead loads, live loads and wind loads calculated in accordance with this regulation and loads resulting from—
 - (A) water turbulence; or
 - (B) flooding of the waterway; or
 - (C) tidal action; or
 - (D) water flooding associated with fire fighting or accidental cause; or
 - (E) accidental impact; and
 - (ii) to maintain a minimum freeboard, being the measurement from the waterline to the top edge of the flotation system at the point where it has the least dimension under the action of dead and live loads only, of not less than 400mm; and
 - (iii) so that the metacentre is always above the centre of gravity when the floating building is tilted and so that the metacentric height is not less than 300mm; and
- (g) is provided with buoyancy tanks or other devices to enable a reasonably horizontal floor level to be provided when subject to various combinations of asymmetrical

dead and live loads both before and after occupation;
and

- (h) is permanently restrained under the most adverse combination of loads to which it is likely to be subjected, by at least 4 mooring piles that allow it to freely float with the rise and fall of the water resulting from tides, flood, storm surge, wave action or other cause, but limit lateral movement relative to the mooring pile to 20mm.

76 Mooring piles

Mooring piles must be designed to adequately and safely resist all lateral loads resulting from the most adverse combination of loads which are likely to act on the flotation system and superstructure of the floating building and any vessel attached to the floating building or mooring piles.

77 Materials (generally)

All material used for decking, cladding, waterproofing, or structural purposes in a floating building or any mooring, gangway, bridge, pontoon, float, wharf or the like giving support or access to a floating building must be suitable for marine use.

78 Materials (fastenings)

All nails, bolts, brackets and other fastenings used for structural purposes must—

- (a) if easily visible and accessible for maintenance purposes—be hot dip galvanised steel or other material of equivalent durability; and
- (b) if not easily visible and accessible for maintenance purposes—be marine grade bronze, copper, stainless steel or other material of equivalent durability; and
- (c) if made of metal and used in combination with other metals—be designed to minimise the effect of electrolytic action.

79 Location

A floating building must be located so that the minimum distance between the outermost projection of the floating building to any other building or the location of any proposed building is 3m plus 1mm for every 3mm in height in excess of 4.5m.

80 Safety equipment

A floating building must—

- (a) be provided with at least 1 marine type life ring; and
- (b) unless otherwise approved after consultation with the fire authority—be located so that no point on the floor of the floating building is either—
 - (i) beyond the reach of a fully extended hose reel that is connected to the water supply and situated in or in the vicinity of the floating building; or
 - (ii) more than 90m from a hydrant.

81 Minimum water depth

The water depth under a floating building must be at least 1m at all times.

82 Balustrades and handrails

- (1) Unless otherwise approved, the perimeter of every part of a floating building not wholly enclosed by walls must have a balustrade that complies with the following standards—
 - (a) a continuous handrail or guardrail or the like must be fixed at a vertical height of not less than 1000mm above the floor surface and in the space between the handrail, guardrail or the like and the floor surface there must be no openings, or windows or panels which can be opened, which are either wider than 125mm when measured horizontally, or if wider than 125mm when measured horizontally, wider than 125mm when measured vertically;

- (b) all members located more than 150mm and up to and including 760mm above the floor surface must be vertical or otherwise designed to eliminate any toe hold;
 - (c) if access through the balustrade is required—a gate specifically designed to restrict access by young children must be provided.
- (2) The perimeter of all gangways, pontoons, wharfs, stairways, ramps and the like which provide access to a floating building must have a balustrade that complies with the following standard—

a continuous handrail must be fixed at a vertical height of not less than 865mm above the nosings of the treads and the floor surface of the access bridge or landing, and in the space between the handrail and stair treads or floor there must be no openings, or windows or panels which can be opened, which are either wider than 300mm when measured horizontally or if wider than 300mm when measured horizontally, wider than 420mm when measured vertically.

83 Non-slip surfaces

All external floor surfaces of a floating building and the floor surfaces of all gangways, pontoons, wharfs, stairways, ramps and the like which give access to a floating building must have an approved non-slip finish.

Part 7A **Fire safety for budget accommodation buildings**

Division 1 **Fire safety standard**

83A **Fire safety standard**

QDC, part 14⁵¹ is prescribed as the fire safety standard for section 12C of the Act.

Division 2 **Record keeping requirements**

83B **Local government's obligation to keep records**

A local government must keep the following records until the building to which the record relates is demolished or removed—

- (a) for each application made to the local government under section 12I of the Act—all documents relating to the application; and
- (b) for each inspection made by the local government under section 12R of the Act—a record of the inspection.

83C **Owner's obligation to keep records**

- (1) The owner of a budget accommodation building to which section 12R⁵² of the Act applies must, as required under this section, keep complete and accurate records for the building showing the owner is complying with the fire safety standard.

Maximum penalty—20 penalty units.

- (2) The records must include details of each of the following—
 - (a) the maximum number of occupants allowed;

51 QDC, part 14 (Fire safety in budget accommodation buildings)

52 Section 12R (Annual inspection of buildings for which development approval is given) of the Act

- (b) the types of fire safety systems installed and the maintenance carried out on each system;
 - (c) the training programs, and training given, for occupants and persons employed in the building about—
 - (i) fire management and prevention; or
 - (ii) emergency evacuation;
 - (d) if the local government imposes any conditions on an approval given under section 12I(3)⁵³ of the Act—how the building complies with the conditions.
- (3) The records must be kept until the building is demolished or removed, unless the owner has a reasonable excuse.

Part 7B Residential services

83D Definitions for pt 7B

In this part—

building work means building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building.

local government, for premises, means the local government for the local government area in which the premises are, or will be, situated.

prescribed building requirements means the requirements stated in QDC, part 20.⁵⁴

residential service see the *Residential Services (Accreditation) Act 2002*, section 4.

53 Section 12I (Approval of longer period for conformity with fire safety standard) of the Act

54 QDC, part 20 (Residential Services Building Standard)

83E Building work for residential service

- (1) This section applies if a building development application is made for building work in relation to premises in which a residential service is conducted, or is proposed to be conducted.
- (2) The application must not be approved unless the local government gives written advice that, if the building work were carried out, the premises would comply with the prescribed building requirements.

Part 8 Inspections**Division 1 Preliminary****84 Definitions for pt 8**

In this part—

builder see section 86.

certificate of inspection see section 87E(2).

complies, for the inspection of building work by a building certifier or competent person, means the building certifier or competent person is satisfied on an inspection of the work, completed in accordance with best industry practice, that the work complies with the Act and the development permit for the work.

final inspection certificate see section 87K(2)(b).

inspected work see section 87D(1).

inspection documentation see section 87G(2).

notice for inspection see section 86.

stages of building work see section 87(1).

Division 2 Inspections for all assessable building work

85 Application of div 2

This division applies to assessable building work for all buildings.⁵⁵

86 Notice for inspection

A person who is in charge of carrying out building work (a *builder*) must ensure a building certifier is given a notice advising the work has been carried out to a stage when inspection and, in some cases, testing must be performed under this part (a *notice for inspection*).

Examples of a builder—

- 1 A person who contracts with an owner to perform building work for the owner is a builder.
- 2 A person who is the owner of a building and who engages subcontractors to perform some or all of the building work for the building is a builder.

87 Stages of building work requiring inspection

- (1) A notice for inspection must be given at each of the following stages of building work (the *stages of building work*)—
 - (a) if the development approval for the work states stages of the work requiring inspection—each stage stated in the development approval;
 - (b) if division 3 applies to the building work—each stage mentioned in section 87I.⁵⁶
- (2) However, a building certifier may inspect building work at any time, whether or not the building certifier is given a notice for inspection for the work.

55 See part 8, division 3, for additional requirements for building work for particular buildings and structures.

56 Section 87I (Other stages of building work requiring inspection)

- (3) If—
- (a) the builder for the work is a licensed builder under the *Queensland Building Services Authority Act 1991*; and
 - (b) the builder does not give the building certifier for the work a notice for inspection at each of the stages of building work as required under section 86;
- the building certifier must notify the BSA of the fact.

87A Chief executive may approve guidelines for inspection of building work

- (1) The chief executive may approve guidelines for—
- (a) aspects of building work to be inspected at each stage of building work; and
 - (b) ways of inspecting the work and certifying the work complies.
- (2) An inspection of building work must be of the aspects, mentioned in the guidelines, for each stage of building work.
- (3) A person inspecting and certifying aspects of building work is taken to comply with this part if the person inspects and certifies the work as required by the guidelines.

87B Entering premises for inspection

The occupier of the premises and the builder for the building work must, at all reasonable times during business hours, allow the building certifier or a competent person to enter the premises to inspect the work under this part.

87C Inspection of building work

- (1) This section applies if a building certifier receives, under section 86, a notice for inspection for a stage of building work.⁵⁷
- (2) The building certifier must—

⁵⁷ See section 87A (Chief executive may approve guidelines for inspection of building work) for the aspects of work to be inspected at each stage of building work.

- (a) at a time agreed between the builder for the work and the building certifier, inspect the building work; or
- (b) subject to subsection (4), accept from a competent person a certificate of inspection for the building work.

Maximum penalty—20 penalty units.

- (3) If the building certifier is inspecting the work under subsection (2)(a), the building certifier may accept from a competent person a certificate for an aspect of the stage of building work only if, before the work for the aspect is carried out, the building certifier assessed the person as a competent person for certifying the aspect complies.
- (4) For subsection (2)(b), if the stage of building work is the final stage, the competent person must be another building certifier who is licensed to perform building certifying functions for the work.
- (5) A building certifier may accept a certificate of inspection from a competent person for a stage of building work only if—
 - (a) before the person inspected the building work, the building certifier assessed the person as a competent person for the inspection; and
 - (b) the person is not the builder for the work or another person who carried out the work; and
 - (c) the certificate certifies all the aspects of the stage of building work comply; and
 - (d) if guidelines are approved under section 87A⁵⁸—the aspects stated to comply are the aspects mentioned in the guidelines.

87D Building certifier inspects building work

- (1) If the building certifier for building work inspects, under section 87C(2)(a), the work for which a notice for inspection has been given (the *inspected work*) and decides the work

⁵⁸ Section 87A (Chief executive may approve guidelines for inspection of building work)

complies, the building certifier must give the builder for the work a written notice stating the inspected work complies.

- (2) If the building certifier decides the inspected work does not comply, the building certifier must give the builder a written notice stating how the inspected work does not comply.

87E Competent person inspects building work

- (1) This section applies if a competent person for building work inspects a stage of building work.
- (2) If the inspected work complies, the competent person must give the building certifier a certificate for the stage of building work stating the inspected work complies (a *certificate of inspection*).
- (3) If the competent person decides the inspected work does not comply, the competent person must give the building certifier a written notice stating how the inspected work does not comply.
- (4) The competent person must give the builder for the work a copy of a certificate or notice given under subsection (2) or (3).

87F Procedure if building work does not comply

- (1) This section applies if—
 - (a) the building certifier gives the builder for the building work a notice under section 87D(2); or
 - (b) a competent person for the building work gives the building certifier a notice under section 87E(3).
- (2) The builder must—
 - (a) perform the work required to make the stage of building work comply; and
 - (b) give the building certifier another notice for inspection for the work.
- (3) If the builder does not perform the work required to make the stage of building work comply, the building certifier must,

under part 4⁵⁹ of the Act, take enforcement action against the builder.

- (4) However, if subsection (1)(b) applies, the building certifier is not required to take enforcement action against the builder unless the building certifier agrees with the competent person that the work for which the notice for inspection is given does not comply.
- (5) Also, if the building certifier does not take enforcement action against the builder, the building certifier must give—
 - (a) the competent person written reasons for not taking the action; and
 - (b) the builder a written notice stating the inspected work complies.
- (6) If the building certifier gives the builder an enforcement notice and the builder does not comply with the notice, the building certifier must notify the local government and the BSA of the fact.
- (7) The builder must not start the stage of building work after the stage for which the notice of inspection has been given until—
 - (a) the building certifier gives the builder a written notice stating the inspected work complies; or
 - (b) the competent person gives the builder a copy of the certificate of inspection for the inspected work.

87G Building certifier to give assessment manager inspection documentation

- (1) This section applies if a building certifier for building work is acting as a private certifier.
- (2) Subject to subsection (3), the private certifier must give the assessment manager a copy of any documents of inspection of building work (*inspection documentation*)—
 - (a) within 5 business days after all the building work is inspected by the private certifier and the work complies; or

- (b) if the engagement of the private certifier is discontinued before the building is completed—within 5 business days after the engagement is discontinued.

Examples of inspection documentation—

- certificate of inspection for the work
- a written notice, given to the builder for the work by the private certifier or a competent person for the work, about an inspection of the work

Maximum penalty—20 penalty units.

- (3) If the inspection documentation includes a certificate of inspection from a competent person for the building work, the private certifier must give the assessment manager a copy of the inspection documentation within 5 business days after the private certifier accepts all the certificates.
- (4) Subsection (2) applies whether or not the assessment manager has been given a notice about the discontinuance under IPA, section 5.3.11(2).⁶⁰
- (5) For IPA, section 5.3.17, the private certifier must keep a copy of the inspection documentation for 5 years after the building work is completed.

Division 3 Inspections for assessable building work for particular buildings and structures

87H Application of div 3

- (1) This division applies to assessable building work for the following—
- (a) a single detached class 1a building;
 - (b) a class 10 building or structure, other than a fence, mast, antennae or similar structure;
 - (c) an alteration to a building or structure mentioned in paragraph (a) or (b).

⁶⁰ IPA, section 5.3.11 (Discontinuing engagement of private certifiers)

- (2) The requirements mentioned in this division for assessing building work are in addition to the requirements mentioned in division 2⁶¹ for assessing the work.

87I Other stages of building work requiring inspection

A notice for inspection must, under section 87(1)(b), be given at each of the following stages of building work⁶²—

- (a) for a single detached class 1a building—
 - (i) for the foundation and excavation stage—before the footings are poured; and
 - (ii) for the slab stage—before the concrete is poured; and
 - (iii) for the frame stage, generally—before the cladding or lining is fixed; and
 - (iv) for the frame stage, for reinforced masonry construction—before the wall cavities are filled; and
 - (v) for the final stage—at the completion of all the aspects of building work mentioned in the guidelines approved under section 87A;⁶³
- (b) for an alteration to a single detached class 1a building—at each stage in paragraph (a) applying to the alteration and stated on the development approval;
- (c) for a class 10 building or structure, other than a fence, mast, antennae or similar structure—at the completion of all items applying to class 10 buildings and structures and mentioned in the guidelines approved under section 87A;
- (d) for an alteration to a class 10 building or structure, other than an alteration to a fence, mast, antennae or similar

61 Division 2 (Inspections for all assessable building work)

62 See section 87 (Stages of building work requiring inspection) for the stages of building work, for all buildings, requiring inspection.

63 Section 87A (Chief executive may approve guidelines for inspection of building work)

structure—at the completion of all items applying to the alteration and mentioned in the guidelines approved under section 87A;

- (e) for a swimming pool—at the completion of the pool and fencing and before the pool is filled with water to a depth of 300mm or more.

87J Local government declaration about inspection

A local government may, by resolution, declare localities and forms of buildings or structures in its area exempt from inspection under section 87I(a) to (d) only if the local government is satisfied the absence of a notice for inspection at a particular stage of building work will not adversely affect public safety.

87K Building certifier to give owner documents

- (1) If a building certifier for building work decides at the final inspection stage for building work that the work complies, the building certifier must give the owner of the building a copy of the documents mentioned in subsection (2)—
 - (a) if the inspection documentation includes any certificates of inspection from a competent person for the work—within 5 business days after the building certifier accepts the certificates; or
 - (b) otherwise—within 5 business days after all of the building work is inspected.

Maximum penalty—20 penalty units.

- (2) For subsection (1), the documents are—
 - (a) a copy of the inspection documentation for the work; and
 - (b) a certificate in the approved form (a *final inspection certificate*).

Example for paragraph (a)—

a document showing an inspection of an aspect of the building work

- (3) If the engagement of the building certifier for building work is discontinued before the final inspection stage for building work, the building certifier must give the owner of the building a copy of the inspection documentation for the work—
- (a) if the inspection documentation includes any certificates of inspection from a competent person for the work—within 5 business days after the building certifier accepts the certificates; or
 - (b) otherwise—within 5 business days after the engagement is discontinued.

Maximum penalty—20 penalty units.

- (4) Subsection (3) applies whether or not the assessment manager has been given a notice about the discontinuance under IPA, section 5.3.11(2).⁶⁴
- (5) In this section—

building includes a structure.

owner, of a building, means the person who is nominated on the approved form under IPA, section 3.2.1(2),⁶⁵ as the person to receive the inspection documentation for the building work.

87L Building certifier to give assessment manager final inspection certificate

- (1) If a building certifier for building work is acting as a private certifier, the private certifier must, when giving the owner the inspection documentation for the work under section 87K, give the assessment manager a copy of the inspection documentation.

Maximum penalty—20 penalty units.

- (2) For IPA, section 5.3.17, the private certifier must keep a copy of the inspection documentation for 5 years after the building work is completed.

Maximum penalty—20 penalty units.

⁶⁴ IPA, section 5.3.11 (Discontinuing engagement of private certifiers)

⁶⁵ IPA, section 3.2.1 (Applying for development approval)

Division 4 Other inspections and appeals

87M Application of div 4

This division also applies to assessable building work for all buildings.

88 Inspections by building referral agencies

- (1) This section applies if a development approval requires a builder to give a building referral agency a notice to inspect the building work for compliance with this regulation.
- (2) The builder must—
 - (a) give the building referral agency the notice to inspect when the building work is at a stage when it is to be inspected; and
 - (b) give a copy of the notice to the building certifier at the same time.
- (3) On receiving the notice to inspect, the building referral agency must—
 - (a) within 5 business days after receiving the notice to inspect, give the building certifier and the builder written advice that the building referral agency does not propose to have the building work inspected; or
 - (b) within 15 business days after receiving the notice to inspect—
 - (i) have the building work inspected; and
 - (ii) give the building certifier and the builder written advice—
 - (A) that the building work complies with this regulation; or
 - (B) that the building work does not comply with this regulation and the reasons why it does not comply.

- (4) The building certifier must not, until receiving the advice from the building referral agency mentioned in subsection (3)—
 - (a) issue a certificate of classification under section 98 for a building; or
 - (b) approve a change of classification under section 107 of a building.
- (5) If the building referral agency has not given the advice to the building certifier within 15 business days after receiving the notice to inspect, the building work is taken to comply with this regulation.
- (6) The building referral agency and the building certifier may agree to a longer period for subsection (5).
- (7) On receiving the advice, the building certifier must accept the advice and act on it unless, within 5 business days after receiving the advice, the building certifier gives written notice to the building referral agency—
 - (a) disagreeing with the advice; and
 - (b) stating the reasons for disagreeing.
- (8) The building referral agency may only inspect building work to check compliance with the provisions that, under this regulation, are specifically referred to the building referral agency.

89 Building referral agency may appeal against advice

- (1) A building referral agency may appeal to a building and development tribunal within 20 business days after receiving the advice mentioned in section 88(3).
- (2) A building certifier who gives a notice under section 88(3) must not issue a certificate of classification for the building or part of the building under section 98 or approve a change of classification under section 107 until—
 - (a) if the building referral agency starts an appeal about the disagreement—the appeal is decided or withdrawn; or
 - (b) if paragraph (a) does not apply—the end of the time in which the building referral agency may start an appeal

to a building and development tribunal about the disagreement.

- (3) On receiving the decision of the tribunal, the building certifier must accept the decision and act on it.

90 Fire authority to inspect special fire services

- (1) A development approval for a building served by special fire services mentioned in schedule 4, must impose on the approval a condition that the person carrying out the building work must give to the fire authority and the building certifier in accordance with section 88⁶⁶—
 - (a) while the installation is being carried out but before installation is completed—a notice to inspect the installation of the special fire services; and
 - (b) after installation of the special fire services but before interior surface finishes are applied—a notice to test the special fire services.
- (2) The person must also give a copy of the notice to the building certifier at the same time as the notice is given to the fire authority.
- (3) The fire authority may only inspect the building work in relation to special fire services mentioned in schedule 4.

91 Appeal against decisions by building certifiers and referral agencies

- (1) An applicant for a development approval who is dissatisfied with the decision of a building certifier or a building referral agency about inspection of building work may appeal to a building and development tribunal.
- (2) An appeal must be started within 20 business days after the day the decision is given to the applicant.

66 The fire authority is a building referral agency mentioned in section 88.

Part 9 Certificates of classification

92 Meaning of *substantially completed*

- (1) In this part, a building is *substantially completed* when—
- (a) all wet areas are waterproof as required by this regulation; and
 - (b) reticulated water is connected to and provided throughout the building; and
 - (c) all sanitary installations are installed as required by this regulation and are operational; and
 - (d) the local government has issued a compliance certificate stating the plumbing and drainage work for the building has been completed under the *Plumbing and Drainage Act 2002*; and
 - (e) all fire safety installations are installed as required by this regulation and operational; and
 - (f) all health and safety matters relating to the building comply with this regulation; and
 - (g) electricity supply is connected to the building to the extent necessary for the building to be used in accordance with the classification sought; and
 - (h) the building is weatherproof as required by this regulation; and
 - (i) the building is structurally adequate as required by this regulation; and
 - (j) all means of access and egress comply with this regulation; and
 - (k) all building referral agency requirements relevant to this regulation have been satisfied.
- (2) In this section—
- building*** includes alterations to a part of an existing building.
- (2) In this section—
- building*** includes alterations to an existing building.

93 Classification as special structure

A building or structure that can not be classified in accordance with BCA, part A3 must be classified as a special structure.

94 Doubtful classifications

- (1) This section applies if there is a doubt as to the classification of a building.
- (2) The classification must be either of the following classifications a building certifier considers appropriate—
 - (a) a class mentioned in BCA, part A3;
 - (b) a special structure.

95 No occupation until certificate is issued

- (1) A person must not, without reasonable excuse, use or occupy, or an owner of the building must not, without reasonable excuse, allow a person to use or occupy, any part of a building for which a certificate of classification is required to be issued unless the certificate has been issued and remains in force.

Maximum penalty—165 penalty units.

- (2) Subject to subsection (3), the building certifier for the building work must, under part 4⁶⁷ of the Act, take enforcement action against the owner if the building, or any part of the building, for which a certificate of classification is required to be issued is being used or occupied without the certificate being issued and remaining in force.
- (3) The building certifier is not required to take enforcement action against the owner if the building certifier is satisfied only building work of a minor nature is required to be performed before the building certifier must, under section 98(2), prepare the certificate of classification for the building.
- (4) If the building certifier gives the owner an enforcement notice and the owner does not comply with the notice, the building certifier must notify the local government of the fact.

67 Part 4 (Show cause and enforcement notices) of the Act

- (5) This section does not apply to occupation of a building under section 96.

96 Use of government buildings in emergency

- (1) This section applies if—
- (a) an emergency situation exists, or is likely to exist, justifying the use of a government building for a purpose (the *emergency purpose*) other than a purpose permitted by its classification; and
 - (b) the building is structurally adequate and reasonably suitable for the emergency purpose.
- (2) The government building may be used for the emergency purpose even though its classification may not relate to the emergency purpose.

- (3) In this section—

government building means a building or part of a building owned or occupied by or on behalf of the State including by State instrumentalities and government owned corporations.

97 Occupation of a building for residential purposes

- (1) A person must not use a building (other than a class 1, 2, 3 or 4 building) for residential purposes unless the use is approved by the local government.

Maximum penalty—165 penalty units.

- (2) If a building development application is made to a private certifier and the application relates to the use of a building for residential purposes, the private certifier must not approve the application until the local government has given advice about the use of the building for residential purposes.
- (3) Subject to section 21, the private certifier must accept the advice and act on it.

98 Preparation of certificate of classification

- (1) This section and section 99 apply to assessable development for a building other than the following—

Standard Building Regulation 1993

- (a) a single detached class 1a building;
 - (b) a class 10 building or structure.
- (2) Subject to subsection (2A), the building certifier must prepare, in relation to the building or part of the building, a certificate of classification, in duplicate, in the approved form when any of the following happens—
- (a) the building is substantially completed;
 - (b) the building certifier gives written consent to the occupation of part of the building before the whole building is substantially completed;
 - (c) if the building work is alterations to an existing building—the alterations are substantially completed.

Maximum penalty for subsection (2)—20 penalty units.

- (2A) However, the building certifier is not required to prepare the certificate until the applicant has given the building certifier the documents mentioned in subsection (6).
- (3) If the building or the part contains fire safety installations, the certificate must be prepared in triplicate.
- (5) The certificate of classification must—
- (a) show the classification of the building, or parts of the building, having regard to the purpose for which the building was—
 - (i) designed; or
 - (ii) built; or
 - (iii) adapted to be used; and
 - (b) if a part of the building is classified differently to another part—identify the part to which each classification relates; and

- (c) if the building work uses a building solution, within the meaning of BCA,⁶⁸ restricting the use or occupation of the building—state the restriction; and
 - (d) if the building work uses a performance based solution—list the performance standards used.
- (6) If the building contains any fire safety installations, the applicant must give the building certifier—
- (a) a list of all fire safety installations installed in the building; and
 - (b) drawings showing the location of the fire safety installations.

99 Interim certificate of classification of remote buildings

- (1) If, because of the remoteness of the location of a building it is not practicable to have it inspected by a building certifier within a reasonable time, a building certifier may issue an interim certificate of classification for the building.
- (2) The interim certificate of classification remains in force until the earlier of the following—
- (a) it is revoked by the building certifier on the ground that the basis on which it was issued was false;
 - (b) a certificate of classification under section 98 is issued for the building;
 - (c) 6 months after its issue.

100 Certificates for a building occupied in stages

- (1) This section applies if—

68 BCA, part A1 (Interpretation), section A1.1 (Definitions)—

Building solution means a solution which complies with the *Performance Requirements* and is—

- (a) an *Alternative Solution*; or
- (b) a solution which complies with the *Deemed-to-Satisfy Provisions*; or
- (c) a combination of (a) and (b).

- (a) a certificate of classification has been issued for a part of an uncompleted building to which section 98 applies; and
 - (b) the building certifier consents to the occupation of a further part of the building.
- (2) The certifier must issue to the owner of the building a further certificate of classification under section 98, for the further part of the building for which consent to occupy has been given.

101 Certificate of classification for certain buildings built before 1 April 1976 with no previously issued certificate

- (1) This section applies to buildings, other than a single detached class 1a building and class 10 building or structure, built before 1 April 1976.
- (2) If the owner of the building makes a written application for the issue of a certificate of classification for the building, the assessment manager must issue a certificate of classification for the building to the owner in the approved form.

102 Preparation of statement of classification

- (1) This section applies if an owner, or a person acting on behalf of an owner, makes written application to a building certifier for a statement of classification for—
- (a) a building the purpose of which is proposed to be changed; or
 - (b) a proposed building.
- (2) The building certifier must prepare a statement of classification in the approved form.
- (3) The statement of classification must—
- (a) show the classification of the building having regard to the purpose for which it is proposed to be used; and
 - (b) if a part of the building is classified differently to another part—identify the part to which each classification relates.

103 Issue and inspection of certificates of classification

- (1) Subject to IPA, chapter 5, part 1,⁶⁹ a building certifier who prepares a certificate of classification (the *document*) or, for an application mentioned in section 102, a statement of classification (also the *document*) must issue it to the owner of the building.
- (2) If the document is issued by a building certifier who is a private certifier, the private certifier must give a copy of the document to the assessment manager within 5 business days after the document is issued.
- (3) The private certifier must keep a copy of the document for 5 years after completion of the building work.
- (4) The assessment manager must keep a copy of the document available for inspection until the building, or the part of the building to which the certificate relates, is demolished or removed.
- (5) If a document is issued for a building or part of a building, the document replaces an existing certificate for the building or part.

104 When building referral agencies and fire authority to be advised

- (1) This section applies if—
 - (a) under a development approval a building referral agency is to be given a notice to inspect a building; and
 - (b) a building certifier issues a certificate of classification for the building.
- (2) The building certifier must, within 10 business days after issuing the certificate, give the building referral agency—
 - (a) a copy of the certificate; and
 - (b) a copy of plans and specifications showing the aspects of the completed building work within the agency's

69 IPA, chapter 5 (Miscellaneous), part 1 (Infrastructure planning and funding)

jurisdiction⁷⁰ other than plans and specifications given to the agency under IPA, section 3.5.15(5); and

- (c) if the agency is the fire authority—
 - (i) a list of all fire safety installations installed in the building; and
 - (ii) drawings showing the location of the fire safety installations.

Maximum penalty—20 penalty units.

105 Appeal against decisions

- (1) This section applies to an applicant for a statement or certificate of classification or a change of the classification of an existing building or structure.
- (2) The applicant may appeal to a building and development tribunal if the applicant is dissatisfied with the decision on the application.
- (3) The appeal must be started within 20 business days after the day the decision is given to the applicant.
- (4) For subsection (2), a failure to decide an application within 20 business days is taken to be a refusal of the application.

Part 10 Changes of classification

106 When changes of classification happen

For this regulation, a change of classification of a building, or part of a building, happens when—

- (a) the purpose for which the building was designed, built or adapted to be used is changed to an extent that the change would alter the classification of the building under this regulation; or

⁷⁰ For the jurisdiction of referral agencies, see the *Integrated Planning Regulation 1998*, section 5 (Referral agencies and their jurisdictions—Act s 3.1.8 (schedule 2)).

- (b) if the current certificate of classification for the building has, under section 98(5)(c), a restriction on the use or occupation of the building—a change in circumstances that affects the way the building conforms with the restriction.

Example of change of classification—

a change in the nature or quantity of materials stored, displayed or used in a building that increases the risk to life or safety, requiring building work to be carried out to comply with BCA

107 Change of classification

- (1) The classification of a building must not be changed unless—
 - (a) the building complies with this regulation for its change of classification and the owner of the building has obtained the approval of a building certifier to the change; or
 - (b) the change has been approved by a building certifier under section 110.

Maximum penalty—165 penalty units.

- (2) An application for a change of classification must be in the approved form.

108 Buildings built on or after 1 April 1976

A building built on or after 1 April 1976 must not be used for a purpose that does not conform with the classification of the building specified in the certificate of classification last issued in respect of the building.

Maximum penalty—165 penalty units.

109 New certificate

- (1) On approving a change of classification, a building certifier must issue a certificate of classification under section 98.
- (2) If a private certifier issues a certificate of classification under subsection (1), the private certifier must give the assessment manager a copy of the certificate within 5 business days after the certificate is issued.

- (3) The certificate replaces an existing certificate for the building or part of the building for which the certificate is issued.

110 Concessional approval for some existing buildings

- (1) The classification for a building, in existence before 14 December 1993,⁷¹ may be changed without the entire building, or part of the building, being made to comply with this regulation applicable to the new classification (other than BCA, parts E1 and E4).
- (2) The classification may be changed only if the building, or part—
 - (a) will be structurally sound and capable of withstanding the loadings likely to arise from its use under the new classification; and
 - (b) will reasonably provide for—
 - (i) the safety of persons in the building or part if there is a fire (including means of egress); and
 - (ii) the prevention of fire; and
 - (iii) the suppression of fire; and
 - (iv) the prevention of the spread of fire.
- (3) The building certifier must not approve the change of classification for the building or part containing any of the special fire services mentioned in schedule 2, without first receiving from the fire authority a report on the suitability of the fire services.
- (4) An approval may impose the conditions the building certifier considers necessary about any of the matters mentioned in—
 - (a) BCA, part E1 or E4; or
 - (b) subsection (2)(a) or (b).

71 This is the day this regulation is taken to have been made. See section 53 of the Act.

Part 11 Licensing building certifiers

Division 1 Preliminary

111 Definitions for pt 11

In this part—

another Act means—

- (a) an Act, other than the Act, regulating building certifiers (including private certifiers for building work); or
- (b) the *Queensland Building Services Authority Act 1991*; or
- (c) the *Building and Construction Industry (Portable Long Service Leave) Act 1991*; or
- (d) a law of another State or New Zealand that provides for the same matter as the Act or a provision of the Act.

conviction means a conviction, other than a spent conviction, for—

- (a) an offence under the Act or another Act, or an offence involving fraud or dishonesty; or
- (b) an offence against a law of the Commonwealth or another State if the act or omission that constitutes the offence would, if it happens in Queensland, be an offence under the Act or another Act, or an offence involving fraud or dishonesty; or
- (c) an offence committed anywhere in Australia before this section commenced that, apart from the non-commencement of this section, would have been an offence mentioned in paragraph (a) or (b).

licence means a licence as a building certifier that is in force under this part.

show cause notice see section 121F(1).

show cause period see section 121F(2)(c).

spent conviction means a conviction—

- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
- (b) that is not revived as prescribed by section 11 of that Act.

suitable person means a person BSA decides, under division 3, is a suitable person to hold a licence.

Division 2 Accreditation standards body

112 Authorisation of accreditation standards body—Act, s 28

AIBS is authorised to be an accreditation standards body for accrediting building certifiers.

Division 3 Suitability of applicants and licensees

113 Suitability of applicants and licensees

- (1) An individual is not a suitable person to hold a licence if—
 - (a) the person is currently disqualified from holding a licence; or
 - (b) the person does not hold a current accreditation issued by an accreditation standards body; or
 - (c) BSA decides, under section 114, the person is not a suitable person to hold a licence.
- (2) An individual who is not a suitable person can not hold a licence.

114 Decision on suitability

BSA must, when deciding whether a person is a suitable person to hold a licence, consider the following things—

- (a) whether the person has a conviction;

- (b) whether the person has previously been refused a licence, or has had a licence suspended or cancelled, under the Act or another Act;
- (c) whether the person has, under this Act or another Act, been disqualified from holding a licence;
- (d) dealings in which the person has been involved and the standard of honesty and integrity demonstrated in the dealings;
- (e) any failure by the person to carry out statutory obligations and the reasons for the failure;
- (f) whether the person holds a current accreditation issued by an accreditation standards body;
- (g) all other relevant circumstances.

115 Requirement to give BSA information or material about suitability

- (1) This section applies to an applicant for the issue of a licence or the renewal of a licence.
- (2) BSA may, by written notice given to the applicant, require the applicant to give BSA, within a stated reasonable period, information or material BSA reasonably considers is needed to establish the applicant's suitability for the licence.
- (3) The applicant is taken to have withdrawn the application if, within the stated reasonable period, the applicant does not comply with BSA's requirement.

Division 4 Applications for licences and renewing licences

116 Application for licence—Act, s 29A

An application by an individual to be licensed must—

- (a) be made to BSA in the approved form; and
- (b) be accompanied by—

- (i) the application fee and licence fee prescribed under the *Building Regulation 2003*; and
- (ii) evidence of the applicant's identity; and
- (iii) a copy of the applicant's certificate of accreditation for a particular level of licence from an accreditation standards body.

117 Decision on application for licence

- (1) BSA must consider the application and decide to—
 - (a) license the applicant at the level of licensing for which the applicant applied; or
 - (b) refuse to license the applicant.
- (2) BSA may license the applicant only if BSA is satisfied the applicant is a suitable person to hold a licence.
- (3) If BSA decides to license the applicant, it must issue the licence to the applicant.
- (4) If BSA refuses to license the applicant or the applicant withdraws the application, BSA must refund to the applicant the licence fee paid.
- (5) If BSA makes a decision under subsection (1)(b), BSA must give the applicant written notice stating—
 - (a) the decision; and
 - (b) the reasons for the decision; and
 - (c) the applicant's rights for a review of the decision.⁷²

118 Duration of licence

A licence remains in force for 1 year, unless earlier cancelled or surrendered.

⁷² See section 121K (Review of BSA's decision about licence, particular level, and endorsement).

Division 5 Renewing licences

119 Notice of expiry of licence

- (1) BSA must, at least 20 business days before a building certifier's licence expires, give the building certifier notice of the expiry.
- (2) The notice must state—
 - (a) the day the current licence will expire; and
 - (b) that, if the building certifier wishes to renew the licence, the building certifier must, on or before the expiry—
 - (i) apply to renew the licence; and
 - (ii) pay the licence fee; and
 - (c) how to apply to renew the licence.

120 Application for renewal

- (1) An application by a building certifier to renew the building certifier's licence must be made on or before the day the licence expires.
- (2) The application must—
 - (a) be made to the BSA in the approved form; and
 - (b) be accompanied by—
 - (i) the licence fee prescribed under the *Building Regulation 2003*; and
 - (ii) evidence of the applicant's identity; and
 - (iii) evidence of maintenance of compliance with the prescribed qualifications; and

- (iv) if the applicant's licence is endorsed as a private certifier and the applicant is applying to continue the endorsement—the insurance coverage mentioned in section 129.⁷³

121 Existing licence taken to be in force while application is considered

- (1) If an application is made under section 120 to renew a licence, the existing licence is taken to continue in force from the day it would, apart from this section, have expired until the day BSA makes a decision under section 121A(1).
- (2) Subsection (1) does not apply if the licence is earlier cancelled, suspended or surrendered under this Act.

121A Decision on application for renewal of licence

- (1) BSA must consider the application and decide to—
 - (a) renew the licence at the level of licensing for which the applicant applied; or
 - (b) refuse to renew the licence.
- (2) BSA may renew the licence only if BSA is satisfied the applicant is a suitable person to hold a licence.
- (3) If BSA decides to license the applicant, it must issue the licence to the applicant.
- (4) If BSA refuses to license the applicant or the applicant withdraws the application, BSA must refund to the applicant the licence fee paid.
- (5) If BSA makes a decision under subsection (1)(b), BSA must give the applicant written notice stating—
 - (a) the decision; and
 - (b) the reasons for the decision; and
 - (c) the applicant's rights for a review of the decision.⁷⁴

⁷³ Section 129 (Liability insurance and insurance bonds for private certifiers)

⁷⁴ See section 121K (Review of BSA's decision about licence, particular level, and endorsement).

Division 6 Endorsing licences

121B Endorsement of licence for building certifier to issue development permits

- (1) A building certifier may apply to BSA in the approved form for endorsement of the building certifier's licence to issue development permits for building work.
- (2) BSA may endorse the licence only if the building certifier has the competencies mentioned in schedule 8.
- (3) If BSA decides not to endorse the building certifier's licence, BSA must give the applicant written notice stating—
 - (a) the decision; and
 - (b) the reasons for the decision; and
 - (c) the applicant's rights for a review of the decision.⁷⁵

121C Endorsement of licence to act as private certifier

- (1) A building certifier may apply to BSA in the approved form for endorsement of the building certifier's licence as a private certifier.⁷⁶
- (2) BSA may endorse the licence only if the building certifier—
 - (a) is covered by the insurance mentioned in section 129; and
 - (b) is licensed for 1 of the following levels of building certifier licensing—
 - (i) a building surveyor;
 - (ii) an assistant building surveyor.
- (3) If BSA decides not to endorse the building certifier's licence, BSA must give the applicant written notice stating—
 - (a) the decision; and

⁷⁵ See section 121K (Review of BSA's decision about licence, particular level, and endorsement).

⁷⁶ See the *Integrated Planning Regulation 1998*, section 17(3) (Offence about acting as private certifier).

- (b) the reasons for the decision; and
- (c) the applicant's rights for a review of the decision.⁷⁷

Division 6A Cancellation and suspension of, and other changes to, licences and cancellation of endorsements

121D Cancellation and suspension of licence or change of level of licensing

- (1) If BSA is satisfied the building certifier is not a suitable person to hold a licence as a building certifier, BSA may at any time cancel or suspend the building certifier's licence.
- (2) If BSA is satisfied a building certifier has not complied with the prescribed qualifications for the level of licensing for which the building certifier is licensed, BSA may—
 - (a) suspend or cancel the building certifier's licence; or
 - (b) change the building certifier's level of licensing for the licence.

121E Cancellation of endorsement of licence to act as private certifier

- (1) This section applies to a building certifier if the building certifier's licence is endorsed as a private certifier.
- (2) If BSA is satisfied the building certifier does not have the insurance coverage mentioned in section 129, BSA must cancel the endorsement.

⁷⁷ See section 121K (Review of BSA's decision about licence, particular level, and endorsement).

Division 6B Show cause notices

121F Show cause notice

- (1) If BSA believes grounds exist to act under division 6A, BSA must, before taking the action, give the building certifier a notice (a *show cause notice*).
- (2) The show cause notice must—
 - (a) state the grounds for proposing to act under division 6A; and
 - (b) outline the facts and circumstances forming the basis for the grounds; and
 - (c) invite the building certifier to show within a stated period (the *show cause period*) why the action should not be taken.
- (3) The show cause period must be a period ending at least 20 business days after the show cause notice is given to the building certifier.

121G Representations about show cause notice

- (1) The building certifier may make representations about the show cause notice to BSA in the show cause period.
- (2) BSA must consider the representations.

121H BSA must decide action to take

After considering the representations for the show cause notice, BSA must decide to—

- (a) take no further action about the matter; or
- (b) take action under division 6A against the building certifier.

121I BSA must advise building certifier of its decision

- (1) If BSA decides to take no further action about the matter, BSA must give the building certifier notice of the fact.

- (2) If BSA decides to act under division 6A against the building certifier, BSA must give the building certifier written notice stating—
- (a) the decision; and
 - (b) the reasons for the decision; and
 - (c) the building certifier's rights for a review of the decision.⁷⁸

121J When decision takes effect

If BSA acts under division 6A, the decision takes effect from the day the written notice mentioned in section 121I(2) is given to the building certifier.

Division 6C Review of BSA's decisions

121K Review of BSA's decision about licence, particular level, and endorsement

- (1) This section applies if an applicant is dissatisfied with BSA's decision under section 117 or 121A to 121C or division 6A.
- (2) The Commercial and Consumer Tribunal has jurisdiction to review the decision.⁷⁹

⁷⁸ See section 121K (Review of BSA's decision about licence, particular level, and endorsement).

⁷⁹ See the *Commercial and Consumer Tribunal Act 2003*, section 101 (Reviewable decisions).

- (3) The applicant may, within 20 business days after BSA gives the applicant notice of the decision, apply to the tribunal for a review of the decision.⁸⁰

Division 6D Register

121L Register—Act, s 30B

For section 30B(2)(e) of the Act, the particulars prescribed for each building certifier are—

- (a) the building certifier's licence number; and
- (b) the day of issue and day of expiry for the building certifier's licence; and
- (c) any endorsements on the building certifier's licence; and
- (d) the level of licensing for the building certifier's licence.

Division 6E General provisions about licences

121M Automatic expiry on failure to apply for renewal

If a building certifier does not apply to renew the building certifier's licence on or before the day the licence expires, the licence expires at the end of the day.

121N Surrendering licence

- (1) A building certifier may surrender the building certifier's licence by written notice to BSA.
- (2) The surrender takes effect—
 - (a) on the day the notice is given to BSA; or
 - (b) if a later day of effect is stated in the notice, on the later day.

⁸⁰ See the *Commercial and Consumer Tribunal Act 2003*, section 102 (Application for review).

- (3) The building certifier must, unless the building certifier has a reasonable excuse, return the licence to BSA within 10 business days after the day the surrender takes effect.

Maximum penalty for subsection (3)—10 penalty units.

121O Replacing licence

- (1) A building certifier may apply to BSA in the approved form for the replacement of the building certifier's licence if it has been lost, stolen, destroyed or damaged.
- (2) If BSA is satisfied the licence has been lost, stolen, destroyed or damaged, BSA must—
- (a) replace the lost, stolen, destroyed or damaged licence with another licence; and
 - (b) give the replacement licence to the applicant.

121P Notice of change in circumstances

- (1) This section applies if a building certifier—
- (a) changes the building certifier's address; or
 - (b) holds an interstate or New Zealand licence as a building certifier and the licence is suspended or cancelled; or
 - (c) is convicted of—
 - (i) an offence against this Act or another Act; or
 - (ii) an offence involving fraud or dishonesty.
- (2) The building certifier must give BSA written notice of the matter within 20 business days after the change, suspension, cancellation or conviction.

Maximum penalty—

- (a) if the offence relates to subsection (1)(a)—1 penalty unit; or
- (b) if the offence relates to subsection (1)(b) or (c)—10 penalty units.

121Q Notice of certain events to interstate licensing authorities and other entities

- (1) This section applies if—
 - (a) a building certifier's licence is cancelled or suspended;
or
 - (b) conditions are imposed on a building certifier's licence;
or
 - (c) conditions on a building certifier's licence are removed.
- (2) As soon as practicable after an event mentioned in subsection (1), BSA must give notice about the event to each interstate or the New Zealand licensing authority with which the BSA is aware the building certifier is licensed as a building certifier.
- (3) Also, BSA may give notice about the event to any of the following—
 - (a) each accreditation standards body;
 - (b) an employer of the building certifier;
 - (c) another entity BSA reasonably believes needs to know about the event.
- (4) A notice under this section may include the information BSA considers appropriate in the circumstances.

Division 7 Performance of building certifying functions**122 Local government appointment of building certifiers to perform building certifying functions**

A local government must appoint building certifiers to perform building certifying functions under section 124, either on a full-time, part-time or consultancy basis.

123 Employment of cadet building certifier to assist building certifying functions

An individual may be appointed as a cadet building certifier to assist in the performance of the building certifying functions

if the individual is currently undertaking a course of study, that, if successfully completed, is recognised by AIBS as qualifying the individual for licensing as a building certifier.

124 Role of building certifiers and cadet building certifiers

- (1) A building certifier licensed at the level of a building surveyor may perform building certifying functions for all classes of buildings and structures.
- (2) A building certifier licensed at the level of an assistant building surveyor may only—
 - (a) without the supervision of a building certifier licensed at the level of a building surveyor—perform building certifying functions on buildings and structures having a rise of not more than 3 storeys and a total floor area not more than 2000m²; or
 - (b) under the supervision of a building certifier licensed at the level of a building surveyor—assist in assessing and inspecting all classes of buildings and structures.
- (3) A building certifier licensed at the level of a building surveying technician may only—
 - (a) if employed by a local government, other than a local government mentioned in schedule 7—perform building certifying functions on buildings or structures having a rise of not more than 2 storeys and a total floor area not more than 500m²; or
 - (b) if paragraph (a) does not apply—under the supervision of a building certifier licensed at the level of a building surveyor or assistant building surveyor, assist in assessing and inspecting buildings or structures having a rise of not more than 2 storeys and a total floor area not more than 500m².
- (4) A cadet building certifier may only assist in assessing and inspecting buildings or structures having a rise of not more than 2 storeys and a total floor area not more than 500m² while under the supervision of a building certifier licensed at the level of a building surveyor or assistant building surveyor.

Part 12 Regulation of certifiers

127 Code of conduct—Act, s 32

The code of conduct made by the chief executive on 20 October 2003 is approved.

128 Certifiers not to be engaged if there is a conflict of interest

- (1) A building certifier must not carry out building certifying functions if the certifier has a conflict of interest.
- (2) For IPA, section 5.3.10 and for subsection (1), a private certifier or building certifier has a conflict of interest if the private certifier or building certifier—

(a) for building work—

- (i) carries out the building work; or
- (ii) is employed by the owner or person who carries out the building work; or
- (iii) is engaged to perform functions (other than a building certifying function, managing development applications relating to the building work or giving regulatory advice about any matter) by the person who carries out the building work; or

Example of managing development applications—

lodging, for an applicant, several development applications for various aspects of the development

- (iv) has a direct or indirect pecuniary interest in the building work or in an entity carrying out the building work; and
- (b) for a building or structure—has a direct or indirect pecuniary interest in the building or structure.

- (3) In this section—
building work includes—
- (a) the preparation of the design of the whole or part of a building or structure; or
 - (b) carrying out all or part of the building work.

129 Liability insurance and insurance bonds for private certifiers

- (1) For IPA, section 5.3.16, this section states the type and minimum limits of liability insurance, performance bond or similar type of security a private certifier must have or give.
- (2) The private certifier must have professional indemnity insurance that provides for the following—
 - (a) a minimum limit of indemnity of \$1 million for any 1 claim and in the aggregate during any 1 period of insurance that may arise from the conduct of the practice or business as a private certifier;
 - (b) in addition to the limit of indemnity mentioned in paragraph (a)—indemnity for costs and expenses incurred with the consent of the insurer of defending or settling a claim;
 - (c) indemnity for breaches of professional duty as a private certifier arising from an act, error or omission of the private certifier after the day the private certifier was first licensed as a private certifier;
 - (d) at least 1 automatic reinstatement of indemnity;
 - (e) indemnity for negligent building certifying work (other than for claims for fraudulent or illegal acts or omissions);
 - (f) if the certifying work is being undertaken by an employee of a firm or corporation—indemnity to former principals, partners and directors of the firm or corporation who were, but no longer are, licensed private certifiers.
- (3) For subsection (2), a private certifier who is a member or employee of a corporation or other entity has the required

professional indemnity insurance if the corporation or other entity has the professional indemnity insurance mentioned in subsection (2).

- (4) For subsection (2)(b), the indemnity may, for any 1 claim, be limited to 20% of the limit of indemnity the insurance provides under subsection (2) for the claim.

Part 14 Transitional provisions

Division 1 Transitional provisions for Standard Building Amendment Regulation (No. 1) 2003

131 Applications to private certifiers before commencement

Section 67,⁸¹ as in force immediately before the commencement of this section, continues to apply to a development application made to a private certifier before the commencement as if the section had not been repealed.

132 Record of exemptions

Section 68,⁸² as in force immediately before the commencement of this section, continues to apply, as if it had not been repealed, to any record of exemption that, immediately before the commencement, was required to be kept under the section.

81 Section 67 (Applications to private certifiers)

82 Section 68 (Local government to keep record of exemptions)

Division 2 **Transitional provisions for Building Legislation Amendment Regulation (No. 1) 2003**

133 **Definitions for pt 14, div 2**

In this division—

accrediting body means the accrediting body in existence under the unamended regulation.

amending regulation means the *Building Legislation Amendment Regulation (No. 1) 2003*.

commencement means the day the amending regulation, section 58, commences.

unamended regulation means this regulation as in force immediately before the commencement.

134 **Existing accreditations**

- (1) This section applies to a person who, immediately before the commencement, held an accreditation as a building certifier for a particular level of licensing as a building certifier.
- (2) The person, from the commencement, is taken to be the holder of a licence for the level.
- (3) If the accreditation held by the person immediately before the commencement was subject to a restriction or condition, the licence the person is taken to hold from the commencement is also taken to be subject to a condition in the same terms, so far as practicable, as the restriction or condition.
- (4) If the accreditation held by the person immediately before the commencement was endorsed as a private certifier, the licence the person is taken to hold from the commencement is also taken to be endorsed as a private certifier.
- (5) In this section—

accreditation includes an interim accreditation.

135 Existing applications for accreditations

- (1) This section applies to an application for the issue or renewal of an accreditation made under the unamended regulation and not decided before the commencement.
- (2) The application is taken to be an application for licensing and must be decided under this regulation.
- (3) Subject to subsection (4), the provisions of this regulation about issuing or renewing licences apply to the application.
- (4) The provisions of the unamended regulation dealing with making the application in the approved form and paying the application fee and licence fee apply to the application.

136 Existing applications for endorsement of licence to act as private certifier

- (1) This section applies to an application for endorsement of a building certifier's accreditation as a private certifier made under the unamended regulation and not decided before the commencement.
- (2) The application is taken to be an application for endorsement of a building certifier's licence as a private certifier and must be decided under this regulation.

137 Appeals to court against accrediting body's decision

- (1) If—
 - (a) a person has appealed to the court under the unamended regulation against a decision of the accrediting body; and
 - (b) the appeal has not been decided before the commencement;

the court may decide the appeal as if the unamended regulation had not been amended by the amending regulation.

- (2) If—
- (a) a person could have appealed to the court under the unamended regulation against a decision of the accrediting body; and
 - (b) the person had not appealed before the commencement;
- the person may appeal to the Commercial and Consumer Tribunal for a review of the decision under section 121K⁸³ as if the decision of the accrediting body were a decision of BSA.

138 BSA taken to be the accrediting body

In an Act or document, a reference to the accrediting body must, if the context permits, be taken to be a reference to BSA.

139 Local government building surveying technicians

- (1) This section applies to an individual who is, immediately before the commencement, employed by a local government as a building certifier accredited at the level of a building surveying technician.
- (2) The unamended regulation, section 124(3)(a),⁸⁴ continues, for 7 years from the commencement, to apply to the individual as if the section had not been amended by the amending regulation.
- (3) This section expires 7 years after the commencement.

83 Section 121K (Review of BSA's decision about licence, particular level, and endorsement)

84 Section 124 (Role of building certifiers and cadet building certifiers)

Division 3**Transitional provision for Standard Building Amendment Regulation (No. 1) 2004****140 Development applications made for tents before commencement**

- (1) Subsection (2) applies if, before the commencement—
 - (a) a building development application mentioned in section 69⁸⁵ was made for a tent; and
 - (b) development approval was given to erect the tent.
- (2) This regulation, as in force immediately before the commencement, applies to erecting the tent.
- (3) Subsection (4) applies if—
 - (a) before the commencement, a building development application mentioned in section 69 was made for a tent; and
 - (b) immediately before the commencement, the application had not been decided.
- (4) This regulation, as in force immediately before the commencement, applies to—
 - (a) deciding the application; and
 - (b) if development approval is given—erecting the tent.
- (5) In this section—

commencement means commencement of this section.

85 Section 69 (Temporary buildings or structures)

Division 4 Transitional provision for Standard Building Amendment Regulation (No. 1) 2006

141 Definitions for div 4

In this division—

relevant building work, in a local government area, means the construction of a class 1 building in a service area for a retail water service within the local government area.

retail water service means a retail water service under the *Water Act 2000*.

service area means a service area under the *Water Act 2000*.

142 Development applications made for relevant building work before designation under s 51B

(1) Subsection (2) applies if—

- (a) before a designation by a local government under section 51B,⁸⁶ a building development application was made for relevant building work; and
- (b) immediately before the designation, the application had not been decided.

(2) The application must be decided as if the designation had not been made.

143 Rainwater tank provisions in planning schemes before commencement

(1) Subsection (2) applies if a provision of a planning scheme, other than a designation made under section 51B, requires the installation of a rainwater tank for a building that is the subject of relevant building work for part 3A, in the local government area (a *rainwater tank provision*).

⁸⁶ Section 51B (Designation by local government of rainwater tank area for QDC, pt 25)

- (2) Despite section 3, the rainwater tank provision continues in force, unless it is earlier repealed, until the earlier of the following—
 - (a) the day the local government makes a designation under section 51B;
 - (b) 1 September 2006.
- (3) Subsection (2) applies whether or not the local government makes a designation under section 51B.

Schedule 1 Fire safety installations

section 5, def *fire safety installation*

1 Structural features

- access panels through fire-rated construction
- penetrations through fire-rated construction
- fire dampers
- fire shutters and fire doors
- fire windows
- fire curtains
- structural fire protection
- systems required to have a fire-resistance level
- fire control centres

2 Fire protection systems

- sprinklers (including wall-wetting sprinklers)
- special automatic fire suppression systems (including foam, deluge and gas flooding systems)
- fire detection and alarm systems
- stairwell pressurisation systems
- air-handling systems
- smoke and heat venting systems
- smoke exhaust systems

3 Fire fighting equipment

- fire mains
- fire hydrants (including hydrant boosters)
- fire hose reels
- fire extinguishers (portable)

Schedule 1 (continued)

4 Occupant safety features

- emergency warning and intercommunication systems
- exit door hardware
- emergency lighting
- exit signs
- emergency lifts
- emergency power supply
- fire doors
- solid core doors
- smoke proof doors

5 Other features

- vehicular access for large isolated buildings
- services provided under conditions imposed under section 71
- services required under BCA, clause E1.10

Schedule 2 Special fire services (generally)⁸⁷

section 5, def *special fire service*

Fire mains (other than fire mains that connect only fire hose reels)

Fire hydrants

Sprinklers (including wall-wetting sprinklers)

Special automatic fire suppression systems (including foam, deluge and gas flooding systems)

Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel)

Fire control centres

Stairwell pressurisation systems

Air-handling systems used for smoke control

Smoke and heat venting systems

Smoke exhaust systems

Emergency warning and intercommunication systems

Emergency lifts

Vehicular access for large isolated buildings

Services provided under conditions imposed under section 71

Services required under BCA, clause E1.10

⁸⁷ Development applications for buildings containing any of these special fire services must be referred to the Queensland Fire and Rescue Service for referral agency advice. See the *Integrated Planning Regulation 1998*, section 4 and schedule 2.

Schedule 3 Special fire services (assessment by fire authority)

section 5, def *special fire service*

1 Large isolated buildings

- suitability of site provisions for access by fire authority vehicles

2 Fire fighting equipment

- provisions for connection of fire authority portable relay booster pump
- location and suitability of booster connections and enclosures
- location of fixed pump-set controls and status indication
- location and suitability of internal and roof hydrants and external hydrants including fire separation from adjacent buildings
- provisions for hard standing for fire appliances
- provision of additional hydrant services as mentioned in AS 2419

3 Sprinklers

- the location of valve room, pump-sets, water alarm and booster point
- location of pump-set controls and status indications
- provision of direct fire service alarm and location of directional signs
- provision of suitable fire-protection for special hazards as mentioned in AS 2118

Schedule 3 (continued)**4 Wall-wetting sprinklers**

- location of isolating valves
- provision of suitable signs

5 Special automatic fire suppression systems

- location of control valves
- provision of access for fire service vehicles
- suitability of extinguishment media
- provision of interface with other systems and direct fire authority alarm

6 Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel)

- location of main fire indicator panel, sub-indicator panels, mimic panels, local alarm bells and directional signs
- suitability of weather protection, accessibility and lighting of equipment
- provision of direct fire service alarm
- suitability of nominated types of detection in all areas, and the location of manual call points

7 Fire control centres

- location and size of control centre
- suitability of contents of control centre

8 Provisions for special hazards

- suitability of special fire services for the protection of special hazards as mentioned in BCA, clause E1.10

Schedule 3 (continued)**9 Smoke and control systems**

- suitability of operational controls and indicators
- automatic detector operation of stairwell pressurisation systems, smoke-and-heat vents and smoke exhaust systems

10 Emergency lifts

Provision of fire officer's controls in lifts

11 Emergency warning and intercommunication systems

- provision of suitable auxiliary warning devices, where AS 2220 systems are not specified
- suitability of interface of warning system with detection and alarm systems
- location of main emergency control panel and warden intercom points

12 Prescribed buildings

- suitability of special fire services and site requirements for prescribed buildings mentioned in section 71

Schedule 4 Special fire services (inspection by fire authority)

section 5, def *special fire service*

1 Large isolated buildings

- suitability of site provisions for access by fire authority vehicles

2 Fire fighting equipment

- provisions for connection of fire authority portable relay booster pump
- location and suitability of booster connections and enclosures
- operation of fixed pump-set controls and status indication
- location and suitability of internal and roof hydrants and external hydrants including fire separation from adjacent buildings
- provisions for hard standing for fire appliances
- provision of additional hydrant services as mentioned in AS 2419
- achievement of specified performance

3 Sprinklers

- the location of valve room, pump-sets, water alarm and booster point
- operation of pump-set controls and status indications
- operation of direct fire service alarm and location of directional signs
- provision of suitable fire-protection for special hazards as mentioned in AS 2118

Schedule 4 (continued)**4 Wall-wetting sprinklers**

- location of isolating valves
- provision of suitable signs

5 Special automatic fire suppression systems

- location of control valves
- provision of access for fire service vehicles
- suitability of extinguishment media
- provision of interface with other systems and direct fire service alarm
- achievement of specified performance

6 Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel)

- location and operation of main fire indicator panel, sub-indicator panels, mimic panels, local alarm bells and directional signs
- suitability of weather protection, accessibility and lighting of equipment
- operation of direct fire service alarm
- suitability of nominated types of detection in all areas, and the location of manual call points
- achievement of specified performance of detection and alarm systems

7 Fire control centres

- location of control centre
- suitability of contents, ventilation, signage, lighting and sound levels of control centre

Schedule 4 (continued)**8 Provisions for special hazards**

- suitability of special fire services for the protection of special hazards as mentioned in BCA, clause E1.10

9 Smoke control systems

- suitability of operational controls and indicators
- suitability of automatic detector operation of stairwell pressurisation systems, smoke-and-heat vents and smoke exhaust systems
- achievement of specified performance of systems

10 Emergency lifts

- operation of fire officer's controls in lifts

11 Emergency warning and intercommunication systems

- operation of suitable auxiliary warning devices, where AS 2220 systems are not specified
- operation of interface of warning system with detection and alarm systems
- location of main emergency control panel and warden intercom points
- suitability of warning tone and sound pressure levels under test

12 Prescribed buildings

- suitability of special fire services and site requirements for prescribed buildings mentioned in section 71

Schedule 5 Development

section 4(2) and (3)

Part 1 Self–assessable development

- 1 Building work for a class 10 building or structure (other than building work mentioned in part 2) not within Wind Region C (tropical cyclone area) mentioned in AS 1170.2 SAA Wind Loading Code, either attached to or detached from a single detached class 1 building or class 10 building or structure if—
 - (a) the building or structure—
 - (i) is a rainwater tank (including its supporting stand), other than a rainwater tank installed for a building that is the subject of relevant building work for part 3A; or
 - (ii) is used only as a greenhouse, unroofed pergola, unroofed deck not higher than 1m above natural ground level, gazebo, conservatory, summerhouse, fuel shed, lawn locker, tool house, cycle shed, aviary, milking bail, hay shed, stable, fowl house, pigsty, barn or for a similar purpose; and
 - (b) for a building or structure attached to another class 10 building or structure, the plan area (including overhangs and existing plan area) is not more than 10m²; and
 - (c) for a detached building or structure, the plan area (including overhangs and existing plan area) is not more than 10m²; and
 - (d) for a class 10 building or structure attached to, or detached from, a single detached class 1 building or class 10 building or structure, the building or structure has above the natural ground surface—
 - (i) a height of not more than 2.4m; and
 - (ii) a mean height of not more than 2.1m; and

Schedule 5 (continued)

- (e) any side of the building or structure is no longer than 5m.
- 2 Fences no higher than 2m above natural ground surface, other than swimming pool fences to which part 3 of the Act applies.
- 3 A non-load bearing aerial, antennae, satellite dish with a maximum diameter of 900mm, flagpole, mast or tower, outside areas covered by airport Obstacle Limitation Surfaces Standards (O.L.S.) of the Civil Aviation Safety Authority if it is—
 - (a) detached from a building or structure and not more than 10m above natural ground surface; or
 - (b) attached to a building or structure, is not more than 3.5m above the building or structure.
- 4 Retaining walls with no surcharge loadings if—
 - (a) the total finished height of the wall, or the total height of the fill or cut retained is not more than 1m above the adjoining ground level; and
 - (b) the wall is no closer than 1.5m to a building or another retaining wall.
- 5 Filling or excavation if—
 - (a) the proposed cut or fill is no deeper than 1m in relation to natural ground level; and
 - (b) any cut embankment is no steeper than—
 - (i) for sand 2 horizontal to 1 vertical; and
 - (ii) for silt 4 horizontal to 1 vertical; and
 - (iii) for firm clay 1 horizontal to 1 vertical; and
 - (iv) for soft clay 3 horizontal to 2 vertical; and
 - (c) any fill embankment is no steeper than 4.0 horizontal to 1.0 vertical; and
 - (d) any compacted fill embankment is no steeper than—
 - (i) for sand 3 horizontal to 2 vertical; and

Schedule 5 (continued)

- (ii) for silt 4 horizontal to 1 vertical; and
- (iii) for firm clay. 2 horizontal to 1 vertical.
- 6 Installation of smoke alarms and emergency lighting, and minor work including, for example, reversing door swings and fitting door handles, in budget accommodation buildings to which part 2A, division 3⁸⁸ of the Act applies.
- 7 Building work that is—
- (a) the installation, repair, maintenance or alteration of a heating appliance, other than a heating appliance that is an integral part of, or abuts, the building; or
- (b) erecting a sign that is—
- (i) detached from a building; and
- (ii) no higher than 2m; and
- (iii) no wider than 1.2m.
- 8 Repairs, maintenance or alterations to an existing building or structure if the repairs, maintenance or alterations—
- (a) do not change the floor area or height of the building or structure; and
- (b) do not affect a structural component, other than a minor structural component if the repairs, maintenance or alterations do not affect more than 20% of the total number of the type of minor structural component in the building or structure; and
- Example of minor structural component—*
- a verandah post
 - a roof beam or lintel supporting not more than 5m² of roof area
 - metal connectors or bracing members

88 Part 2A (Fire safety for budget accommodation buildings), division 3 (Budget accommodation buildings built, approved or applied for, before 1 January 1992) of the Act

Schedule 5 (continued)

- (c) do not affect a fire safety system, other than a minor component of a fire safety system if the repairs, maintenance or alterations do not affect more than 20% of the total number of the type of minor component in the building or structure; and

Example of minor component of a fire safety system—

- a sprinkler head
- a smoke alarm

- (d) for each storey of a sole-occupancy unit—do not affect, over 3 years, more than the lesser of the following—

(i) 20% of the gross floor area;

(ii) 40m² of floor area; and

- (e) for each storey of a part of a building or structure, other than a sole-occupancy unit—do not affect, over 3 years, more than the lesser of the following—

(i) 20% of the gross floor area;

(ii) 40m² of floor area.

- 9 Attaching minor attachments to an existing building, including, for example, sun hoods projecting no more than 1m from the building, sun blinds, roof ventilators or similar attachments.
- 10 Temporary site offices, gantries and scaffolding on building sites.
- 11 Erecting a tent if the tent—
- (a) has a floor area more than 100m² but not more than 500m²; and
- (b) is to remain in place for less than 4 weeks; and
- (c) when erected, complies with the requirements stated in QDC, part 28, under ‘Acceptable solutions’.

Schedule 5 (continued)

Part 2**Exempt development**

- 1 Building work for a class 10 building used exclusively as a greenhouse, conservatory, summerhouse, fuel shed, lawn locker, tool house, cycle shed, aviary, milking bail, hayshed, stable, fowlhouse, pigsty or barn or for a similar purpose, if—
 - (a) on land used for agricultural, horticultural, floricultural or pastoral purposes; and
 - (b) no part of the building is within 200m of a road or a boundary of the land on which the building is situated.
- 2 Building minor structures no higher than 3.0m above natural ground level, such as playground and sporting equipment, garden furniture, temporary market stalls, minor plant and equipment covers, and similar structures.
- 3 Attaching sun hoods to an existing building, if the area of each sun hood is less than 2m².
- 4 Erecting a tent that has a floor area not more than 100m².

Schedule 6 Building work requiring local government approval or decision

section 20

- 1 Nomination of the road frontage of a building or structure for which the road frontage is to be reduced under QDC, part 11 or 12.
- 2 The amenity and aesthetic impact of building work for forms of building or localities the local government must assess under section 50.
- 3 Occupation of a building, other than a class 1, 2, 3 or 4 building, for residential purposes under section 97.
- 4 For proposed development that does not, under section 36(1)(c)(i), comply with a quantifiable standard stated in the alternative provisions, compliance with—
 - (a) if there is a qualitative statement stated in the alternative provisions that is relevant to the quantifiable standard—the qualitative statement; or
 - (b) otherwise—the performance criterion mentioned in QDC, part 11 or 12, that is relevant to the quantifiable standard.
- 5 For proposed development that does not, under section 36(1)(c)(ii), comply with an acceptable solution stated in QDC, part 11 or 12, compliance with—
 - (a) if there is a qualitative statement stated in the alternative provisions that is relevant to the acceptable solution—the qualitative statement; or
 - (b) otherwise—the performance criterion mentioned in QDC, part 11 or 12, that is relevant to the acceptable solution.

Schedule 6 (continued)

- 6 For proposed development that does not, under section 13B(1)(b), comply with an acceptable solution stated in QDC, part 15, compliance with the performance criteria mentioned in QDC, part 15 that are relevant to the acceptable solution.
- 7 For proposed development that does not, under section 51F(1)(c), comply with an alternative acceptable solution or an acceptable solution stated in QDC, part 25, compliance with the performance criteria mentioned in QDC, part 25, that are relevant to the alternative acceptable solution or the acceptable solution stated in the part.

Schedule 7 Local governments

section 124(3)(a)

Beaudesert Shire Council
Brisbane City Council
Bundaberg City Council
Burnett Shire Council
Caboolture Shire Council
Cairns City Council
Calliope Shire Council
Cooloola Shire Council
Crow's Nest Shire Council
Douglas Shire Council
Gladstone City Council
Gold Coast City Council
Hervey Bay City Council
Ipswich City Council
Livingstone Shire Council
Logan City Council
Mackay City Council
Mareeba Shire Council
Maroochy Shire Council
Maryborough City Council
Noosa Shire Council
Pine Rivers Shire Council
Redcliffe City Council
Redland Shire Council
Rockhampton City Council

Schedule 7 (continued)

Thuringowa City Council

Toowoomba City Council

Townsville City Council

Whitsunday Shire Council

Schedule 8 Competencies

section 121B(2)

- understand the responsibilities of performing certification functions
- verify competence to perform certification functions
- accept and verify that the application is competent
- undertake investigations to ascertain whether other approvals are required
- conduct a preliminary assessment of the application
- conduct an assessment of the application
- make a decision on the application
- undertake inspections
- issue a certificate of classification
- undertake enforcement
- perform miscellaneous functions

Schedule 13 Queensland Development Code

section 6A

Table 1: IPA, concurrence agency

| Part of QDC | Date published |
|--|----------------|
| 1—Workplaces | 23 August 2002 |
| 2—Workplaces involving spray painting | 23 August 2002 |
| 3—Detention centres | 23 August 2002 |
| 4—Retail meat premises | 23 August 2002 |
| 7—Private health facilities | 23 August 2002 |
| 14—Fire safety in budget accommodation buildings | 22 August 2005 |
| 21—Pastoral Workers' Accommodation | 1 July 2003 |
| 29—Sustainable buildings | 1 March 2006 |

Table 2: Local government

| Part of QDC | Date published |
|--|----------------|
| 11—Design and siting standard for single detached housing on lots under 450m ² | 1 March 2006 |
| 12—Design and siting standard for single detached housing on lots 450m ² and over | 1 March 2006 |
| 15—Higher risk personal appearance services | 1 July 2004 |
| 25—Rainwater tanks | 1 March 2006 |

Table 3: Other

| Part of QDC | Date published |
|---|------------------|
| 20—Residential services building standard | 23 August 2002 |
| 22—Child care centres | 23 November 2005 |
| 28—Tents | 2 April 2004 |

Endnotes

1 Index to endnotes

| | Page |
|---|------|
| 2 Date to which amendments incorporated | 132 |
| 3 Key | 132 |
| 4 Table of reprints | 133 |
| 5 Tables in earlier reprints | 133 |
| 6 List of legislation | 134 |
| 7 List of annotations | 136 |

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 May 2006. Future amendments of the Standard Building Regulation 1993 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 |
| o in c | = order in council | s | = section |
| om | = omitted | sch | = schedule |
| orig | = original | sdiv | = subdivision |
| p | = page | SIA | = Statutory Instruments Act 1992 |
| para | = paragraph | SIR | = Statutory Instruments Regulation 2002 |
| prec | = preceding | SL | = subordinate legislation |
| pres | = present | sub | = substituted |
| prev | = previous | unnum | = unnumbered |

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 | 1994 SL No. 98 | 26 March 1994 | 26 March 1994 |
| 2 | 1998 SL No. 86 | 30 April 1998 | 30 April 1998 |
| 2A | 1998 SL No. 169 | 22 May 1998 | 31 July 1998 |

| Reprint No. | Amendments included | Effective | Notes |
|-------------|---------------------|-------------------|-----------------------|
| 2B | 2002 SL No. 172 | 1 July 2002 | |
| 2C | 2002 SL No. 215 | 23 August 2002 | |
| 2D | 2002 SL No. 240 | 13 September 2002 | |
| 2E | 2002 SL No. 381 | 20 December 2002 | |
| 2F | 2003 SL No. 150 | 1 July 2003 | |
| 3 | 2003 SL No. 189 | 1 September 2003 | |
| 3A | 2003 SL No. 233 | 1 October 2003 | |
| 3B | 2003 SL No. 203 | 20 October 2003 | |
| 3C | 2003 SL No. 265 | 1 November 2003 | |
| 3D rv | 2003 SL No. 274 | 14 November 2003 | |
| 3E | 2004 SL No. 29 | 2 April 2004 | |
| 3F | 2004 SL No. 89 | 1 July 2004 | |
| 3G | 2004 SL No. 180 | 10 September 2004 | |
| 3H | 2004 SL No. 234 | 1 November 2004 | |
| 3I | 2003 SL No. 274 | 14 December 2004 | |
| 3J | 2005 SL No. 113 | 13 June 2005 | |
| 3K | 2005 SL No. 219 | 2 September 2005 | |
| 3L | 2005 SL No. 276 | 18 November 2005 | |
| 3M | 2005 SL No. 315 | 16 December 2005 | R3M withdrawn, see R4 |
| 4 | — | 16 December 2005 | |
| 4A | 2006 SL No. 23 | 1 March 2006 | |
| 4B | 2006 SL No. 23 | 1 May 2006 | |

5 Tables in earlier reprints

| Name of table | Reprint No. |
|-----------------------------------|-------------|
| Changed citations and remade laws | 1 |
| Changed titles | 1 |
| Corrected minor errors | 2 |
| Obsolete and redundant provisions | 1 |

6 List of legislation

Standard Building Regulation 1993 (prev Standard Building By-laws 1991 and Standard Building Law)

made on 14 December 1993 (see 1975 No. 11 s 53)

date of assent 15 May 1975

commenced 1 April 1976 (proc pubd gaz 6 March 1976 p 886)

exp 31 August 2006 (see SIA s 56A(2) and SIR s 5 sch 3)

Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

- (2) This law was originally the schedule to the Building Act 1975. It has remained in force as subordinate legislation under the Act because of s 76 of the Act (as ins 1993 No. 76 s 3 sch 1) and s 77 of the Act (as ins 1993 No. 70 s 804 sch). For the previous history of the Law—see Queensland Legislation Annotations Issue 1 and—

amending legislation—

Standard Building Amendment By-law (No. 1) 1993 SL No. 486

notfd gaz 17 December 1993 pp 1812–21

commenced on date of notification

Standard Building Amendment By-law (No. 1) 1994 SL No. 98

notfd gaz 25 March 1994 pp 1228–32

ss 1–2 commenced on date of notification

remaining provisions commenced 26 March 1994 (see s 2)

Building Legislation Amendment Regulation (No. 1) 1998 SL No. 86 pts 1–2

notfd gaz 17 April 1998 pp 1616–18

ss 1–2, 13 (to the extent it ins ss 111, 112, 113, 114, 120, 129) commenced on date of notification (see s 2(1))

remaining provisions commenced 30 April 1998 (see s 2(2))

Standard Building Amendment Regulation (No. 1) 1998 SL No. 169

notfd gaz 22 May 1998 pp 509–14

commenced on date of notification

Building and Other Legislation Amendment Regulation (No. 1) 2002 SL No. 172 pts 1–2

notfd gaz 28 June 2002 pp 876–83

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2002 immediately after the commencement of the Integrated Planning Amendment Regulation (No. 1) 2002 SL No. 66 s 12 (see s 2)

Residential Services (Accreditation) Regulation 2002 SL No. 215 ss 1–2, 12 sch 2

notfd gaz 23 August 2002 pp 1478–81

ss 1–2 commenced on date of notification

remaining provisions commenced 23 August 2002 (see s 2)

Note—A regulatory impact statement and explanatory note were prepared

Standard Building Amendment Regulation (No. 1) 2002 SL No. 240

notfd gaz 13 September 2002 pp 131–2
commenced on date of notification

Standard Building Amendment Regulation (No. 2) 2002 SL No. 381

notfd gaz 20 December 2002 pp 1359–63
commenced on date of notification

Pastoral Workers' Accommodation Regulation 2003 SL No. 150 ss 1–2, pt 11

notfd gaz 27 June 2003 pp 749–56
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2003 (see s 2)

Child Care Regulation 2003 SL No. 189 ss 1–2, 132

notfd gaz 22 August 2003 pp 1372–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2003 (see s 2)

Coastal Protection and Management Regulation 2003 SL No. 203 ss 1–2, pt 4

notfd gaz 5 September 2003 pp 57–8
ss 1–2 commenced on date of notification
remaining provisions commenced 20 October 2003 (see s 2)
Note—A regulatory impact statement and explanatory note were prepared

Standard Building Amendment Regulation (No. 1) 2003 SL No. 233

notfd gaz 26 September 2003 pp 298–9
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 2003 (see s 2)

Standard Plumbing and Drainage Regulation 2003 SL No. 265 ss 1–2, pt 7

notfd gaz 31 October 2003 pp 691–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 November 2003 (see s 2)

**Building Legislation Amendment Regulation (No. 1) 2003 SL No. 274 pts 1, 4, s 13
sch**

notfd gaz 7 November 2003 pp 757–60
ss 1–2 commenced on date of notification
ss 50 (to the extent it ins s 121B), 63 commenced 14 December 2004 (see s 2(2))
remaining provisions commenced 14 November 2003 (see s 2(1))
Note—A regulatory impact statement and explanatory note were prepared

Standard Building Amendment Regulation (No. 1) 2004 SL No. 29

notfd gaz 2 April 2004 pp 1315–16
commenced on date of notification

**Public Health (Infection Control for Personal Appearance Services) and Another
Regulation Amendment Regulation (No. 1) 2004 SL No. 89 pts 1, 3**

notfd gaz 25 June 2004 pp 573–81
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2004 (see s 2)

Standard Building Amendment Regulation (No. 2) 2004 SL No. 180

notfd gaz 10 September 2004 pp 173–7
 commenced on date of notification

Standard Building Amendment Regulation (No. 3) 2004 SL No. 234

notfd gaz 29 October 2004 pp 734–7
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 November 2004 (see s 2)
 Note—An explanatory note was prepared

Standard Building Amendment Regulation (No. 1) 2005 SL No. 113

notfd gaz 10 June 2005 pp 502–3
 ss 1–2 commenced on date of notification
 remaining provisions commenced 13 June 2005 (see s 2)

Standard Building Amendment Regulation (No. 2) 2005 SL No. 219

notfd gaz 2 September 2005 pp 71–2
 commenced on date of notification

Standard Building Amendment Regulation (No. 3) 2005 SL No. 276

notfd gaz 18 November 2005 pp 1052–3
 commenced on date of notification

Standard Building Amendment Regulation (No. 4) 2005 SL No. 315

notfd gaz 16 December 2005 pp 1490–6
 commenced on date of notification
 Note—An explanatory note was prepared

Standard Building Amendment Regulation (No. 1) 2006 SL No. 23

notfd gaz 24 February 2006 pp 798–801
 ss 1–2 commenced on date of notification
 s 6 commenced 1 May 2006 (see s 2(2))
 remaining provisions commenced 1 March 2006 (see s 2(1)(a))
 Note—A regulatory impact statement and explanatory note were prepared

7 List of annotations

PART 1—PRELIMINARY**Division 1—Introduction**

div hdg ins 1998 SL No. 86 s 4

Short title

s 1 (prev s 1.1) sub 1994 SL No. 98 s 4
 amd 1998 SL No. 86 s 5
 renum 1998 SL No. 86 s 12

Regulation a code for IDAS

s 2 (prev s 1.1A) ins 1998 SL No. 86 s 6
 renum 1998 SL No. 86 s 12

Interaction between this regulation and local planning instruments or local laws

- s 3** (prev s 1.1B) ins 1998 SL No. 86 s 6
 renum 1998 SL No. 86 s 12
 sub 2003 SL No. 274 s 14
 amd 2006 SL No. 23 s 4

Building work that is assessable against regulation

- prov hdg** amd 2003 SL No. 274 s 15(1)
s 4 (prev s 1.2) amd 1993 SL No. 486 s 3
 sub 1998 SL No. 86 s 7
 renum 1998 SL No. 86 s 12
 amd 2003 SL No. 274 s 15(2)

Interpretation

- hdg prec s 1.3** om 1998 SL No. 86 s 8

Division 2—Interpretation

- div hdg** ins 1998 SL No. 86 s 8

Definitions

- s 5** (prev s 1.3) sub 1998 SL No. 86 s 9
 renum 1998 SL No. 86 s 12
 def “**Act**” om 1994 SL No. 98 s 5(1)
 def “**AIBS**” ins 2002 SL No. 381 s 3(2)
 def “**alternative acceptable solution**” ins 2006 SL No. 23 s 5
 def “**alternative provisions**” ins 2003 SL No. 274 s 16(2)
 def “**AMCORD**” ins 1993 SL No. 486 s 4
 def “**another Act**” ins 2003 SL No. 274 s 16(2)
 def “**application document**” ins 2003 SL No. 274 s 16(2)
 def “**BSAP**” om 2002 SL No. 381 s 3(1)
 def “**builder**” ins 2003 SL No. 274 s 16(2)
 def “**building certifier**” sub 2003 SL No. 274 s 16(1)–(2)
 def “**building certifying functions**” om 2003 SL No. 274 s 16(1)
 def “**Building Code of Australia**” amd 1994 SL No. 98 s 5(3)
 def “**building development application**” ins 2003 SL No. 274 s 16(2)
 def “**Certificate of Accreditation**” om 1994 SL No. 98 s 5(1)
 def “**certificate of inspection**” ins 2003 SL No. 274 s 16(2)
 def “**Commercial and Consumer Tribunal**” ins 2003 SL No. 274 s 16(2)
 om 2005 SL No. 219 s 3(1)
 def “**competent person**” sub 2003 SL No. 274 s 16(1)–(2)
 def “**complies**” ins 2003 SL No. 274 s 16(2)
 def “**conviction**” ins 2003 SL No. 274 s 16(2)
 def “**CSIRO**” ins 1994 SL No. 98 s 5(2)
 def “**designated rainwater tank area**” ins 2006 SL No. 23 s 5
 def “**development application**” om 2003 SL No. 274 s 16(1)
 def “**development approval**” om 2003 SL No. 274 s 16(1)
 def “**development information**” ins 2003 SL No. 274 s 16(2)
 def “**erosion prone area**” ins 2003 SL No. 203 s 15
 def “**final inspection certificate**” ins 2003 SL No. 274 s 16(2)
 def “**fire authority**” sub 2002 SL No. 172 s 4(1)–(2)
 def “**fire safety installation**” amd 2002 SL No. 172 s 4(3)
 sub 2005 SL No. 219 s 3(1)–(2)

- def “**inspected work**” ins 2003 SL No. 274 s 16(2)
- def “**inspection documentation**” ins 2003 SL No. 274 s 16(2)
- def “**licence**” ins 2003 SL No. 274 s 16(2)
- def “**local planning instrument**” om 2003 SL No. 274 s 16(1)
- def “**notice for inspection**” ins 2003 SL No. 274 s 16(2)
- def “**notice of reasons**” ins 2002 SL No. 172 s 4(2)
- def “**outermost projection**” amd 2003 SL No. 274 s 16(3)
- def “**performance based solution**” ins 2002 SL No. 172 s 4(2)
- def “**performance standards**” ins 2002 SL No. 172 s 4(2)
 - amd 2003 SL No. 150 s 31(1)
 - sub 2003 SL No. 274 s 16(1)–(2)
- def “**prescribed qualifications**” amd 2002 SL No. 381 s 3(3)
 - sub 2003 SL No. 274 s 16(1)–(2)
- def “**QDC**” ins 2002 SL No. 172 s 4(2)
- def “**qualitative statement**” ins 2003 SL No. 274 s 16(2)
- def “**quantifiable standard**” ins 2003 SL No. 274 s 16(2)
- def “**Queensland Development Code**” ins 2002 SL No. 172 s 4(2)
 - sub 2002 SL No. 215 s 12 sch 2
 - amd 2003 SL No. 150 s 31(2)
- def “**Queensland Residential Design Guidelines**” om 2003 SL No. 274 s 16(1)
- def “**relevant building work**” ins 2006 SL No. 23 s 5
- def “**road boundary clearance**” om 2003 SL No. 274 s 16(1)
- def “**self-assessable development**” om 2003 SL No. 274 s 16(1)
- def “**show cause notice**” ins 2003 SL No. 274 s 16(2)
- def “**show cause period**” ins 2003 SL No. 274 s 16(2)
- def “**side and rear boundary clearance**” om 2003 SL No. 274 s 16(1)
- def “**special fire service**” sub 2002 SL No. 172 s 4(1)–(2)
- def “**spent conviction**” ins 2003 SL No. 274 s 16(2)
- def “**stages of building work**” ins 2003 SL No. 274 s 16(2)
- def “**suitable person**” ins 2003 SL No. 274 s 16(2)
- def “**tent**” ins 2004 SL No. 29 s 3

Meaning of “available for inspection”

- s 6 (prev s 1.3A) ins 1998 SL No. 86 s 9
- renum 1998 SL No. 86 s 12
- amd 2003 SL No. 274 ss 17, 13 sch

Meaning of “Queensland Development Code”

- 6A ins 2003 SL No. 150 s 32
- amd 2003 SL No. 274 s 18

References to proposed buildings or structures

- s 7 (prev s 1.3B) ins 1998 SL No. 86 s 9
- renum 1998 SL No. 86 s 12

Building Code of Australia requirements

- hdg prec s 1.4 om 1998 SL No. 86 s 10

Division 3—BCA

- div hdg ins 1998 SL No. 86 s 10

BCA forms part of regulation

- s 8** (prev s 1.4) amd 1994 SL No. 98 s 6
 sub 1998 SL No. 86 s 11
 renum 1998 SL No. 86 s 12

Proof of BCA

- s 9** (prev s 1.4A) ins 1998 SL No. 86 s 11
 renum 1998 SL No. 86 s 12
 amd 2003 SL No. 274 s 19

Relationship between BCA and Australian Standards

- s 10** (prev s 1.4B) ins 1998 SL No. 86 s 11
 renum 1998 SL No. 86 s 12

Division 4—QDC

- div hdg** ins 2002 SL No. 172 s 5

Application of QDC

- prov hdg** amd 2003 SL No. 150 s 33(1)
s 10A ins 2002 SL No. 172 s 5
 amd 2003 SL No. 150 s 33(2); 2003 SL No. 274 s 20

Proof of QDC

- s 10B** ins 2002 SL No. 172 s 5
 amd 2003 SL No. 150 s 34

Relationship between QDC and BCA

- s 10C** ins 2002 SL No. 172 s 5
 amd 2003 SL No. 150 s 35
 sub 2003 SL No. 274 s 21

Division 5—Guidelines

- div 5 (ss 10D–10E)** ins 2003 SL No. 274 s 22

Alterations to existing buildings or other structures

- s 1.5** om 1998 SL No. 86 s 13

Local government to decide

- s 1.6** om 1998 SL No. 86 s 13

Certificate of accreditation or registration

- prov hdg** sub 1994 SL No. 98 s 7(1)
s 1.7 amd 1994 SL No. 98 s 7(2)–(3)
 om 1998 SL No. 86 s 13

PART 2—ASSESSMENT OF BUILDING DEVELOPMENT APPLICATIONS

- pt hdg** sub 1998 SL No. 86 s 13
 amd 2003 SL No. 274 s 13 sch

Application—general

- s 2.1** om 1998 SL No. 86 s 13

Application to construct swimming pool

- s 2.2** om 1998 SL No. 86 s 13

Local government may dispense with necessity to lodge drawings etc. or to obtain approval in some cases

s 2.3 om 1998 SL No. 86 s 13

Information required

s 2.4 om 1998 SL No. 86 s 13

Local government to inform the Commissioner of Fire Service

s 2.5 om 1998 SL No. 86 s 13

Assessment of special fire services by the Commissioner of Fire Service

s 2.6 om 1998 SL No. 86 s 13

Building application for integrated building work

s 2.7 om 1998 SL No. 86 s 13

Responsible design

s 2.8 om 1994 SL No. 98 s 8

Structural drawings—approval subject to conditions

s 2.9 om 1998 SL No. 86 s 13

Architectural and engineering companies or firms

s 2.10 om 1998 SL No. 86 s 13

Optional acceptability of engineering design certificates

s 2.11 om 1998 SL No. 86 s 13

Retention of drawings and documents

s 2.12 om 1998 SL No. 86 s 13

Changes to approved plans

s 2.13 om 1998 SL No. 86 s 13

Submission of Survey Certificates

s 2.14 om 1998 SL No. 86 s 13

Information to be supplied by the Crown

s 2.15 om 1998 SL No. 86 s 13

Advice of referral agencys 2.16 sub 1994 SL No. 98 s 9
om 1998 SL No. 86 s 13**Application for preliminary decision**

s 2.17 om 1998 SL No. 86 s 13

Division 1—General

div hdg ins 1998 SL No. 86 s 13

Building certifiers to assess applicationss 11 ins 1998 SL No. 86 s 13
amd 2003 SL No. 150 s 36; 2003 SL No. 274 ss 23, 13 sch**Building certifier's discretion—BCA**prov hdg sub 2002 SL No. 172 s 6(1)
s 12 ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 6(2); 2003 SL No. 274 s 24, 13 sch

Certificate of conformity

- s 13** ins 1998 SL No. 86 s 13
sub 2006 SL No. 23 s 6

Building certifier's discretion—QDC, table 1

- prov hdg** amd 2003 SL No. 150 s 37(1)
s 13A ins 2002 SL No. 172 s 7
amd 2003 SL No. 150 s 37(2)–(3)
sub 2003 SL No. 274 s 25

Local governments to assess compliance with performance criteria of QDC, pt 15

- s 13B** ins 2004 SL No. 89 s 6

Application to build swimming pool must include fencing

- s 14** ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Applications to include site works

- s 14A** ins 2003 SL No. 274 s 26

Documents to accompany building development applications

- s 14B** ins 2003 SL No. 274 s 26

Information on certain documents

- s 14C** ins 2003 SL No. 274 s 26

Chief executive may approve guidelines

- s 14D** ins 2003 SL No. 274 s 26

Division 2—Alterations to existing buildings or structures

- div hdg** ins 1998 SL No. 86 s 13

Application of div 2

- s 15** ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 8

Certain alterations not permissible

- s 16** ins 1998 SL No. 86 s 13

Development approval may require entire building or structure to conform

- s 17** ins 1998 SL No. 86 s 13

Alterations associated with a change of classification

- s 18** ins 1998 SL No. 86 s 13

Division 3—Advices from local government

- div hdg** ins 1998 SL No. 86 s 13

Public access to development information

- s 19** ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 ss 27, 13 sch

Local government must consider certain matters

- s 20** ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 ss 28, 13 sch

Appeals from local government

s 21 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch; 2005 SL No. 219 s 4

Division 4—Drawings and certificates

div hdg ins 1998 SL No. 86 s 13

Engineering drawings required for certain developments

s 22 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Optional acceptability of certificates

s 23 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 29

False or misleading documents

s 23A ins 2003 SL No. 274 s 30

Signature of competent persons on documents

s 24 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Assessment manager must accept certificate of private certifier

s 25 ins 1998 SL No. 86 s 13

Division 5—Giving, accessing and keeping information

div hdg ins 1998 SL No. 86 s 13

Information private certifier must give to assessment manager

s 26 ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 9; 2003 SL No. 274 s 31

Documents to be kept by private certifier—IPA, s 5.3.17

s 26A ins 2003 SL No. 274 s 32

Applicant to be given a copy of any drawings

s 27 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Assessment manager must keep drawings and documents

s 28 ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 10; 2003 SL No. 274 ss 33, 13 sch

Assessment manager must give owner documents

s 28A ins 2003 SL No. 274 s 34

Division 6—Permit conditions

div hdg ins 1998 SL No. 86 s 13

Requirement for survey certificates

s 29 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

When demolition, removal and rebuilding starts and finishes

s 30 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Conditions for building work in erosion prone area

s 30A ins 2003 SL No. 203 s 16
amd 2003 SL No. 274 s 13 sch

Extension of period

s 31 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Mandatory conditions for class 2–9 buildings

s 32 ins 1998 SL No. 86 s 13

Division 7—Miscellaneous

div 7 (s 33) ins 1998 SL No. 86 s 13

PART 3—REQUIREMENTS FOR SITING, AMENITY AND AESTHETICS

pt hdg sub 1998 SL No. 86 s 13; 2003 SL No. 274 s 35

Period for commencement

s 3.1 om 1998 SL No. 86 s 13

Period for completion

s 3.2 om 1998 SL No. 86 s 13

Integrated building work

s 3.3 om 1998 SL No. 86 s 13

Extension of period

s 3.4 om 1998 SL No. 86 s 13

Division 1—Application of pt 3

div hdg ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Siting and design standards for single detached housing

s 34 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 36

Siting and design standards for other housing

s 35 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 36

Division 2—Boundary clearances

div hdg ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Local governments to assess compliance with alternative provisions and performance criteria of QDC, pts 11 and 12

s 36 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 36

Concession for open carport

s 37 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Side and rear boundary clearances generally

s 38 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Stepped design

s 39 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Concession for narrow allotments

s 40 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Concession for class 10a buildings

s 41 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Concession for fences, screens and ornamental or horticultural structures

s 42 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Allotment coverage

s 43 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Basic minimum floor area of a class 1 building

s 44 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Division 3—Application of alternative siting requirements

div 3 (ss 45–49) ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 36

Division 4—Amenity and aesthetics

div hdg ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 37

Local government declaration about amenity and aesthetics on methods of building and locality

s 50 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 ss 38, 13 sch

Request to local government about amenity and aesthetics

s 51 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 ss 39, 13 sch

PART 3A—DESIGNATED RAINWATER TANK AREAS

pt hdg ins 2006 SL No. 23 s 7

Division 1—Preliminary

div 1 (s 51A) ins 2006 SL No. 23 s 7

Division 2—Designation of rainwater tank area

div 2 (ss 51B–51D) ins 2006 SL No. 23 s 7

Division 3—Other provisions

div 3 (ss 51E–51F) ins 2006 SL No. 23 s 7

PART 4—SITE WORKS

pt hdg sub 1998 SL No. 86 s 13

Prescribed fees

s 4.1 om 1998 SL No. 86 s 13

Earthworks and retaining walls

s 52 ins 1998 SL No. 86 s 13

Land liable to flooding

s 53 ins 1998 SL No. 86 s 13

Drainage of buildings or land

s 54 ins 1998 SL No. 86 s 13

Bush fire prone areas

s 55 ins 1998 SL No. 86 s 13

Development applications—on-site sewerage facilities

s 55A ins 2003 SL No. 265 s 56

Building work over sewer or water main

s 56 ins 1998 SL No. 86 s 13
amd 2003 SL No. 265 s 57; 2003 SL No. 274 s 13 sch

Building work over existing sanitary drainage

s 57 ins 1998 SL No. 86 s 13

Building work over easements and subject to statutory covenants

s 58 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 40

PART 5—SWIMMING POOL FENCING

pt hdg sub 1998 SL No. 86 s 13; 2003 SL No. 233 s 4

Notice to inspect

s 5.1 om 1998 SL No. 86 s 13

Fire Authority to inspect special fire services

s 5.2 om 1998 SL No. 86 s 13

Appointment of principal building surveyor, etc.

s 5.3 om 1998 SL No. 86 s 13

Vacation of office

s 5.4 om 1998 SL No. 86 s 13

Appropriate building officers to be paid by Local Authority

s 5.5 om 1998 SL No. 86 s 13

Appropriate building officers with private interests not to act

s 5.6 om 1998 SL No. 86 s 13

Duties of appropriate building officers

s 5.7 om 1998 SL No. 86 s 13

Qualifications of principal building surveyor, etc.

s 5.8 om 1998 SL No. 86 s 13

Building work over easements

s 58 sub 2003 SL No. 274 s 40

Application of pt 5

- s 59** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4

Fencing standards for outdoor swimming pools constructed on or after 1 October 2003

- s 60** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4
amd 2005 SL No. 276 s 3

Resuscitation sign requirements and display—Act, s 15

- s 61** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4

Warning sign requirements and display—Act, s 16A

- s 62** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4

Applications to private certifiers

- s 63** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4
amd 2003 SL No. 274 s 13 sch

Local government to keep register of exemptions

- s 64** ins 1998 SL No. 86 s 13
sub 2003 SL No. 233 s 4

Exemption for double doors

- s 65** ins 1998 SL No. 86 s 13
om 2003 SL No. 233 s 4

Exemption for access for persons with disabilities

- s 66** ins 1998 SL No. 86 s 13
om 2003 SL No. 233 s 4

Applications to private certifiers

- s 67** ins 1998 SL No. 86 s 13
om 2003 SL No. 233 s 4

Local government to keep record of exemptions

- s 68** ins 1998 SL No. 86 s 13
om 2003 SL No. 233 s 4

PART 6—TEMPORARY AND SPECIAL STRUCTURES

- pt hdg** sub 1998 SL No. 86 s 13

Interpretation

- s 6.1** om 1998 SL No. 86 s 13

Classification as special structure

- s 6.2** om 1998 SL No. 86 s 13

Doubtful classifications

- s 6.3** om 1998 SL No. 86 s 13

Certificate of classification

s 6.4 amd 1993 SL No. 486 s 5
 om 1998 SL No. 86 s 13

No occupation until certificate is issued

s 6.5 om 1998 SL No. 86 s 13

Use of a building for habitable purposes

s 6.6 om 1998 SL No. 86 s 13

Certificates for a building occupied in stages

s 6.7 om 1998 SL No. 86 s 13

**Certificate of classification for certain buildings constructed prior to 1 April 1976
where certificate not previously issued**

s 6.8 om 1998 SL No. 86 s 13

Statement of classification

s 6.9 om 1998 SL No. 86 s 13

Local government to advise the Commissioner of Fire Service in certain cases

s 6.10 om 1998 SL No. 86 s 13

Temporary buildings or structures

s 69 ins 1998 SL No. 86 s 13
 amd 2003 SL No. 274 s 13 sch

Special structures

s 70 ins 1998 SL No. 86 s 13
 amd 2003 SL No. 274 s 13 sch

Additional conditions for hazardous buildings

s 71 ins 1998 SL No. 86 s 13

PART 7—FLOATING BUILDINGS

prev pt 7 (ss 7.1–7.5) om 1998 SL No. 86 s 13
 pres pt 7 (ss 72–83) ins 1998 SL No. 86 s 13

PART 7A—FIRE SAFETY FOR BUDGET ACCOMMODATION BUILDINGS

pt hdg ins 2002 SL No. 172 s 11

Division 1—Fire safety standard

div hdg ins 2002 SL No. 172 s 11

Fire safety standard

s 83A ins 2002 SL No. 172 s 11
 amd 2003 SL No. 274 s 13 sch

Division 2—Record keeping requirements

div 2 (ss 83B–83C) ins 2002 SL No. 172 s 11

PART 7B—RESIDENTIAL SERVICES

pt hdg ins 2002 SL No. 215 s 12 sch 2

Definitions for pt 7B

s 83D ins 2002 SL No. 215 s 12 sch 2

Building work for residential service

s 83E ins 2002 SL No. 215 s 12 sch 2
amd 2003 SL No. 274 s 13 sch

PART 8—INSPECTIONS

prev pt 8 (ss 8.1–8.12) om 1998 SL No. 86 s 13
pres pt 8 (ss 84–91) ins 1998 SL No. 86 s 13

Division 1—Preliminary

div hdg ins 2003 SL No. 274 s 41

Definitions for pt 8

s 84 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 41

Division 2—Inspections for all assessable building work

div hdg ins 2003 SL No. 274 s 41

Application of div 2

s 85 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 41

Notice for inspection

s 86 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 41

Stages of building work requiring inspection

s 87 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 41

Chief executive may approve guidelines for inspection of building work

s 87A ins 2003 SL No. 274 s 41

Entering premises for inspection

s 87B ins 2003 SL No. 274 s 41

Inspection of building work

s 87C ins 2003 SL No. 274 s 41

Building certifier inspects building work

s 87D ins 2003 SL No. 274 s 41

Competent person inspects building work

s 87E ins 2003 SL No. 274 s 41

Procedure if building work does not comply

s 87F ins 2003 SL No. 274 s 41

Building certifier to give assessment manager inspection documentation

s 87G ins 2003 SL No. 274 s 41

Division 3—Inspections for assessable building work for particular buildings and structures

div 3 (ss 87H–87L) ins 2003 SL No. 274 s 41

Division 4—Other inspections and appeals

div 4 (s 87M) ins 2003 SL No. 274 s 41

Inspections by building referral agencies

s 88 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 42

Building referral agency may appeal against advice

s 89 ins 1998 SL No. 86 s 13
amd 2005 SL No. 219 s 4

Fire authority to inspect special fire services

s 90 ins 1998 SL No. 86 s 13

Appeal against decisions by building certifiers and referral agencies

s 91 ins 1998 SL No. 86 s 13
amd 2005 SL No. 219 s 4

PART 9—CERTIFICATES OF CLASSIFICATION

pt hdg sub 1998 SL No. 86 s 13

Application of this Part

9.1 om 1998 SL No. 86 s 13

Clearance from a reserve, lake, canal, river, waterway, or the high water mark of any foreshore or the like

9.2 om 1998 SL No. 86 s 13

Boundary clearances

9.3 amd 1993 SL No. 486 s 6
om 1998 SL No. 86 s 13

Boundary clearances—particular allotments

9.4 om 1998 SL No. 86 s 13

Concession for fences, screens and ornamental or horticultural structures

9.5 om 1998 SL No. 86 s 13

Allotment coverage

9.6 om 1998 SL No. 86 s 13

Basic minimum floor area of a Class 1 building

9.7 om 1998 SL No. 86 s 13

Special requirements for corner allotments

9.8 om 1998 SL No. 86 s 13

Local authority may decide the application of this Part

9.9 sub 1993 SL No. 486 s 7
amd 1994 SL No. 98 s 10
om 1998 SL No. 86 s 13

Meaning of “substantially completed”

s 92 ins 1998 SL No. 86 s 13
amd 2003 SL No. 265 s 58; 2003 SL No. 274 s 43

Classification as special structure

s 93 ins 1998 SL No. 86 s 13

Doubtful classifications

s 94 ins 1998 SL No. 86 s 13

No occupation until certificate is issued

s 95 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 44

Use of government buildings in emergency

s 96 ins 1998 SL No. 86 s 13

Occupation of a building for residential purposes

s 97 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 13 sch

Preparation of certificate of classification

s 98 ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 12; 2003 SL No. 274 s 45

Interim certificate of classification of remote buildings

s 99 ins 1998 SL No. 86 s 13

Certificates for a building occupied in stages

s 100 ins 1998 SL No. 86 s 13

Certificate of classification for certain buildings built before 1 April 1976 with no previously issued certificate

s 101 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 46

Preparation of statement of classification

s 102 ins 1998 SL No. 86 s 13

Issue and inspection of certificates of classification

s 103 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 47

When building referral agencies and fire authority to be advised

s 104 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 48

Appeal against decisions

s 105 ins 1998 SL No. 86 s 13
amd 2005 SL No. 219 s 5

PART 10—CHANGES OF CLASSIFICATION

pt hdg sub 1998 SL No. 86 s 13

Temporary buildings or other structures

s 10.1 om 1998 SL No. 86 s 13

Special structures

s 10.2 om 1998 SL No. 86 s 13

Additional provisions for certain buildings

s 10.3 om 1998 SL No. 86 s 13

When changes of classification happen

s 106 ins 1998 SL No. 86 s 13
amd 2002 SL No. 172 s 13

Change of classification

s 107 ins 1998 SL No. 86 s 13

Buildings built on or after 1 April 1976

s 108 ins 1998 SL No. 86 s 13

New certificate

s 109 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 49

Concessional approval for some existing building

s 110 ins 1998 SL No. 86 s 13

PART 11—LICENSING BUILDING CERTIFIERS

pt hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Division 1—Preliminary

div hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Definitions for pt 11

s 111 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Division 2—Accreditation standards body

div hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Authorisation of accreditation standards body—Act, s 28

s 112 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Division 3—Suitability of applicants and licensees

div hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Suitability of applicants and licensees

s 113 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Decision on suitability

s 114 ins 1998 SL No. 86 s 13
amd 2002 SL No. 381 s 4
sub 2003 SL No. 274 s 50

Requirement to give BSA information or material about suitability

s 115 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Division 4—Applications for licences and renewing licences

div hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Application for licence—Act, s 29A

s 116 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Decision on application for licence

s 117 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Duration of licence

s 118 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Division 5—Renewing licences

s 119 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Application for renewal

s 120 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Existing licence taken to be in force while application is considered

s 121 ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Decision on application for renewal of licence

s 121A ins 2003 SL No. 274 s 50

Division 6—Endorsing licences

div hdg ins 1998 SL No. 86 s 13
sub 2003 SL No. 274 s 50

Endorsement of licence for building certifier to issue development permits

s 121B ins 2003 SL No. 274 s 50

Endorsement of licence to act as private certifier

s 121C ins 2003 SL No. 274 s 50

Division 6A—Cancellation and suspension of, and other changes to, licences and cancellation of endorsements

div hdg ins 2003 SL No. 274 s 50

Cancellation and suspension of licence or change of level of licensing

s 121D ins 2003 SL No. 274 s 50

Cancellation of endorsement of licence to act as private certifier

s 121E ins 2003 SL No. 274 s 50

Division 6B—Show cause notices

div hdg ins 2003 SL No. 274 s 50

Show cause notice

s 121F ins 2003 SL No. 274 s 50

Representations about show cause notice

s 121G ins 2003 SL No. 274 s 50

BSA must decide action to take

s 121H ins 2003 SL No. 274 s 50

BSA must advise building certifier of its decision

s 121I ins 2003 SL No. 274 s 50

When decision takes effect

s 121J ins 2003 SL No. 274 s 50

Division 6C—Review of BSA’s decisions

div hdg ins 2003 SL No. 274 s 50

Review of BSA’s decision about licence, particular level, and endorsements 121K ins 2003 SL No. 274 s 50
amd 2005 SL No. 219 s 6**Division 6D—Register**

div hdg ins 2003 SL No. 274 s 50

Register—Act, s 30B

s 121L ins 2003 SL No. 274 s 50

Division 6E—General provisions about licences

div hdg ins 2003 SL No. 274 s 50

Automatic expiry on failure to apply for renewal

s 121M ins 2003 SL No. 274 s 50

Surrendering licence

s 121N ins 2003 SL No. 274 s 50

Replacing licence

s 121O ins 2003 SL No. 274 s 50

Notice of change in circumstances

s 121P ins 2003 SL No. 274 s 50

Notice of certain events to interstate licensing authorities and other entities

s 121Q ins 2003 SL No. 274 s 50

Division 7—Performance of building certifying functions

div hdg ins 1998 SL No. 86 s 13

Local government appointment of building certifiers to perform building certifying functions

s 122 ins 1998 SL No. 86 s 13

Employment of cadet building certifier to assist building certifying functionss 123 ins 1998 SL No. 86 s 13
amd 2002 SL No. 381 s 5; 2003 SL No. 274 s 51**Role of building certifiers and cadet building certifiers**s 124 ins 1998 SL No. 86 s 13
amd 2003 SL No. 274 s 52

Division 8—Transitional provisions about local government officers

div hdg ins 1998 SL No. 86 s 13
exp 30 April 2001 (see s 127)

Automatic accreditation of local government building certifiers for 1 year

s 125 ins 1998 SL No. 86 s 13
exp 30 April 1999 (see s 125(2))

Qualifications of local government building certifiers

s 126 ins 1998 SL No. 86 s 13
exp 30 April 2001 (see s 127)

PART 11—SPECIAL PROVISIONS

pt 11 (ss 11.1–11.6) prev pt 11 om 1998 SL No. 86 s 13

PART 12—REGULATION OF CERTIFIERS

prev pt 12 (ss 12.1–12.11) om 1998 SL No. 86 s 13
pres pt 12 (ss 128–129) ins 1998 SL No. 86 s 13

Code of conduct—Act, s 32

s 127 prev s 127 ins 1998 SL No. 86 s 13
exp 30 April 2001 (see s 127)
pres s 127 ins 2003 SL No. 274 s 53

Certifiers not to be engaged if there is a conflict of interest

s 128 amd 2003 SL No. 274 ss 54, 13 sch

Liability insurance and insurance bonds for private certifiers

s 129 amd 1998 SL No. 169 s 3; 2002 SL No. 240 s 3; 2003 SL No. 274 s 55

PART 13—LOCAL GOVERNMENT FEES

pt hdg sub 1998 SL No. 86 s 13
om 2003 SL No. 274 s 56

Saving of registration

s 13.1 sub 1994 SL No. 98 s 11
om 1998 SL No. 86 s 13

Duration

s 13.2 om 1998 SL No. 86 s 13

Interpretation

s 13.3 om 1998 SL No. 86 s 13

Application

s 13.4 om 1994 SL No. 98 s 12

Effect of registration

s 13.5 om 1994 SL No. 98 s 12

Director to register

s 13.6 om 1994 SL No. 98 s 12

Conditions

s 13.7 om 1994 SL No. 98 s 12

Register

s 13.8 amd 1994 SL No. 98 s 13
om 1998 SL No. 86 s 13

Cancellation or alteration of registration

s 13.9 om 1998 SL No. 86 s 13

Director to issue certificate

s 13.10 om 1994 SL No. 98 s 14

Records

s 13.11 om 1998 SL No. 86 s 13

Register open to inspection

s 13.12 om 1998 SL No. 86 s 13

Fixing fees by local governments

s 130 ins 1998 SL No. 86 s 13
om 2003 SL No. 274 s 56

PART 14—TRANSITIONAL PROVISIONS

pt hdg prev pt 14 hdg om 1998 SL No. 86 s 13
pres pt 14 hdg ins 2003 SL No. 223 s 5

**Division 1—Transitional provisions for Standard Building Amendment Regulation
(No. 1) 2003**

div hdg ins 2003 SL No. 274 s 57

Applications to private certifiers before commencement

s 131 ins 2003 SL No. 233 s 5

Record of exemptions

s 132 ins 2003 SL No. 233 s 5

**Division 2—Transitional provisions for Building Legislation Amendment Regulation
(No. 1) 2003**

div hdg ins 2003 SL No. 274 s 58

Definitions for pt 14, div 2

s 133 ins 2003 SL No. 274 s 58

Existing accreditations

s 134 ins 2003 SL No. 274 s 58

Existing applications for accreditations

s 135 ins 2003 SL No. 274 s 58

Existing applications for endorsement of licence to act as private certifier

s 136 ins 2003 SL No. 274 s 58

Appeals to court against accrediting body's decision

s 137 ins 2003 SL No. 274 s 58

BSA taken to be the accrediting body

s 138 ins 2003 SL No. 274 s 58

Local government building surveying technicians

s 139 ins 2003 SL No. 274 s 58
 exp 14 November 2010 (see s 139(3))

Division 3—Transitional provision for Standard Building Amendment Regulation (No. 1) 2004

div 3 (s 140) ins 2004 SL No. 29 s 4

Division 4—Transitional provision for Standard Building Amendment Regulation (No. 1) 2006

div 4 (ss 141–143) ins 2006 SL No. 23 s 8

Definitions

s 14.1 om 1998 SL No. 86 s 13

Design and acceptance of conforming buildings

s 14.2 om 1998 SL No. 86 s 13

Suitability of materials, components and methods of construction for conforming buildings

s 14.3 om 1998 SL No. 86 s 13

Design of conforming buildings by means other than this Part

s 14.4 om 1998 SL No. 86 s 13

Requirements for conforming buildings—foundations and footings

s 14.5 om 1998 SL No. 86 s 13

Requirements for conforming buildings—design for wind loads

s 14.6 amd 1993 SL No. 486 s 8
 om 1998 SL No. 86 s 13

APPENDIX 1

om 1998 SL No. 86 s 13

APPENDIX 2

om 1998 SL No. 86 s 13

APPENDIX 3

om 1998 SL No. 86 s 13

APPENDIX 4

om 1998 SL No. 86 s 13

APPENDIX 5

om 1998 SL No. 86 s 13

APPENDIX 6

amd 1993 SL No. 486 s 9
 om 1998 SL No. 86 s 13

APPENDIX 7

om 1998 SL No. 86 s 13

APPENDIX 8

om 1998 SL No. 86 s 13

SCHEDULE 1—FIRE SAFETY INSTALLATIONS

ins 1998 SL No. 86 s 13

SCHEDULE 2—SPECIAL FIRE SERVICES (GENERALLY)

ins 1998 SL No. 86 s 13

SCHEDULE 3—SPECIAL FIRE SERVICES (ASSESSMENT BY FIRE AUTHORITY)

ins 1998 SL No. 86 s 13

SCHEDULE 4—SPECIAL FIRE SERVICES (INSPECTION BY FIRE AUTHORITY)

ins 1998 SL No. 86 s 13

SCHEDULE 5—DEVELOPMENT

ins 1998 SL No. 86 s 13

amd 2002 SL No. 172 s 14; 2003 SL No. 274 s 59; 2004 SL No. 29 s 5; 2004 SL No. 180 s 3; 2006 SL No. 23 s 9

SCHEDULE 6—BUILDING WORK REQUIRING LOCAL GOVERNMENT APPROVAL OR DECISION

ins 1998 SL No. 86 s 13

amd 2003 SL No. 274 s 60; 2004 SL No. 89 s 7; 2006 SL No. 23 s 10

SCHEDULE 7—LOCAL GOVERNMENTS

ins 1998 SL No. 86 s 13

sub 2003 SL No. 274 s 61

SCHEDULE 8—COMPETENCIES

prev sch 8 ins 1998 SL No. 86 s 13

om 2003 SL No. 274 s 62

pres sch 8 ins 2003 SL No. 274 s 63

SCHEDULE 9—MINIMUM SIDE AND REAR BOUNDARY CLEARANCES FOR NARROW ALLOTMENTS

ins 1998 SL No. 86 s 13

om 2003 SL No. 274 s 62

SCHEDULE 10—BOUNDARY CLEARANCES FOR FENCES, SCREENS ETC. ON CORNER ALLOTMENTS

ins 1998 SL No. 86 s 13

om 2003 SL No. 274 s 62

SCHEDULE 11—ROAD BOUNDARY CLEARANCES FOR BUILDINGS AND STRUCTURES ON CORNER ALLOTMENTS

ins 1998 SL No. 86 s 13

om 2003 SL No. 274 s 62

SCHEDULE 12—CORNER BOUNDARY CLEARANCES FOR CORNER ALLOTMENTS

ins 1998 SL No. 86 s 13

om 2003 SL No. 274 s 62

SCHEDULE 13—QUEENSLAND DEVELOPMENT CODE

ins 2003 SL No. 150 s 38

amd 2003 SL No. 189 s 132(2)

sub 2003 SL No. 274 s 64

amd 2004 SL No. 29 s 6; 2004 SL No. 89 s 8; 2004 SL No. 234 s 4; 2005 SL No. 113 s 4; 2005 SL No. 219 s 7; 2005 SL No. 276 s 4; 2005 SL No. 315 s 3; 2006 SL No. 23 s 11