

*I hereby certify that this PUBLIC BILL has finally passed the  
Legislative Assembly of Queensland.*



*Legislative Assembly Chamber,  
Brisbane,*

*The Clerk of the Parliament.  
13 August 2013*

*In the name and on behalf of the Queen, I assent to this Bill.*

*Penelope Wendy  
Government House,  
Brisbane, 13th August, 2013*



Queensland

**No. 30 of 2013  
A BILL for**

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





Queensland

# Building and Other Legislation Amendment Bill 2013

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# 2013

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## A Bill

for

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

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[s 1]

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## The Parliament of Queensland enacts—

### **Part 1 Preliminary**

#### **1 Short title**

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

#### **2 Commencement**

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

### **Part 2 Amendment of Building Act 1975**

#### **3 Act amended**

This part amends the *Building Act 1975*.

*Note—*

See also the amendments in schedule 1.

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

(1) Section 83(1)(f) and (2)—

*omit.*

(2) Section 83(3) and (4)—

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

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

### 5 **Act amended**

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

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

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

*insert—*

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

(2) Section 53(5)—

*insert—*

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

(3) Section 53(5)(aa) to (c)—

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

(4) Section 53(11)—

*insert—*

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

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

[s 7]

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

### 7 Act amended

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

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

Section 192—

*insert—*

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

- (4) In this section—

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

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

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

## Part 5 Minor amendments of Acts

### 9 Acts amended

Schedule 1 amends the Acts it mentions.



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## Schedule 1      Acts amended

section 9

### Building Act 1975

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

*insert—*

*City of Brisbane Act 2010* or the

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

*omit, insert—*

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

**3      Section 246A1, examples—**

*insert—*

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

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

*insert—*

*City of Brisbane Act 2010* or the

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

*insert—*

*City of Brisbane Act 2010* or the

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

*insert—*

*City of Brisbane Act 2010* or the

## **Plumbing and Drainage Act 2002**

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

*insert—*

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

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Authorised by the Parliamentary Counsel