



Queensland

# Building and Other Legislation Amendment Regulation (No. 1) 2010

## Subordinate Legislation 2010 No. 48

made under the

*Building Act 1975*

*Sustainable Planning Act 2009*

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[s 1]

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Building and Other Legislation Amendment Regulation (No. 1) 2010*.

## **Part 2 Amendment of Building Regulation 2006**

### **2 Regulation amended**

This part amends the *Building Regulation 2006*.

### **3 Amendment of s 10 (Planning scheme provisions about particular performance criteria under QDC part 1.1 or QDC part 1.2)**

Section 10(3)—

*omit.*

### **4 Insertion of new ss 51BI and 51BJ**

After section 51BH—

*insert—*

#### **‘51BI Approval of amendment of QDC by replacing parts MP1.1 and MP1.2**

‘(1) The amendment of the QDC by replacing parts MP1.1 and MP1.2 published by the chief executive on 11 March 2010 is approved under section 13(3) of the Act.

‘(2) The approval takes effect on 26 March 2010.

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**‘51BJ Approval of amendment of QDC by adding part MP1.3**

- ‘(1) The amendment of the QDC by adding part MP1.3 published by the chief executive on 11 March 2010 is approved under section 13(3) of the Act.
- ‘(2) The approval takes effect on 26 March 2010.’.

## **Part 3 Amendment of Sustainable Planning Regulation 2009**

### **5 Regulation amended**

This part amends the *Sustainable Planning Regulation 2009*.

### **6 Amendment of sch 4 (Development that can not be declared to be development of a particular type—Act, section 232(2))**

Schedule 4, table 2, item 2(e)—

*omit, insert—*

‘(e) either—

- (i) no overlay, as identified in the planning scheme and relevant to assessment of the material change of use, applies to the premises for the material change of use; or
  - (ii) only an overlay about bush fire hazards applies to the premises and the premises are less than 2000m<sup>2</sup>; and
- (f) for a class 1(a)(ii) building comprising not more than 2 attached dwellings—the local government for the planning scheme area has, by resolution, decided to apply this item to that class of building.’.



ENDNOTES

- 1 Made by the Governor in Council on 25 March 2010.
- 2 Notified in the gazette on 26 March 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Infrastructure and Planning.

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