Queensland

Building and Other Legislation Amendment Regulation (No. 2) 2010

Subordinate Legislation 2010 No. 69

made under the

Building Act 1975
Sustainable Planning Act 2009

Contents

Part 1   Preliminary

1   Short title

This regulation may be cited as the *Building and Other Legislation Amendment Regulation (No. 2) 2010*.

2   Commencement

The following provisions of this regulation commence on 1 July 2010—

- part 2, section 5
- part 3.

Part 2   Amendment of Building Regulation 2006

3   Regulation amended

This part amends the *Building Regulation 2006*.

4   Insertion of new s 51BK

Part 8, division 1—

insert—

'51BK Approval of amendment of QDC by adding part MP3.3

'(1)   The amendment of the QDC by adding part MP3.3 published by the chief executive on 22 March 2010 is approved under section 13(3) of the Act.

'(2)   The approval takes effect on 1 July 2010.'.

5 Insertion of new pt 8, div 2A

After section 54—

insert—

'Division 2A Displaying code checklist

'54A Definitions for div 2A

'In this division—

code checklist means the code checklist under section 54B.

temporary accommodation building means a temporary building or structure containing an area used, or intended to be used, for sleeping.

'54B Form and content of code checklist

'(1) The code checklist must be in the approved form.

'(2) The approved form may only make provision for indicating whether the acceptable solutions for temporary accommodation buildings, under the QDC part MP3.3., have been complied with in relation to temporary accommodation buildings to which section 54C applies.

'54C Display of code checklist for particular temporary accommodation buildings

'(1) This section applies to a temporary accommodation building that—

(a) is located at a site for more than 42 consecutive days; and

(b) is occupied, or available for occupation, by a person—

(i) under an agreement relating to the person's employment; or

(ii) in return for the payment of rent.

Building and Other Legislation Amendment Regulation (No. 2) 2010
Part 3 Amendment of Sustainable Planning Regulation 2009

[s 6]

'(2)   The prescribed person for the temporary accommodation building must ensure a copy of the code checklist is—

(a)   completed for the temporary accommodation building; and

(b)   clearly displayed on or near the temporary accommodation building.

Maximum penalty—20 penalty units.

'(3)   In this section—

prescribed person, for a temporary accommodation building, means the person who allows occupation of the building—

(a)   under an agreement relating to a person's employment; or

(b)   in return for the payment of rent.'.

Part 3   Amendment of Sustainable Planning Regulation 2009

6   Regulation amended

This part amends the *Sustainable Planning Regulation 2009*.

7   Amendment of sch 7 (Referral agencies and their jurisdictions)

Schedule 7, table 1—

Building and Other Legislation Amendment Regulation (No. 2) 2010
Part 3 Amendment of Sustainable Planning Regulation 2009

[s 7]

insert—

'Temporary accommodation buildings		
27 Building work for a temporary accommodation building as defined under the *Building Regulation 2006*, section 54A if— (a) the Queensland Development Code, part 3.3 applies to the work; and (b) the requirements of acceptable solution A1 stated in the part are not complied with	The local government—as a concurrence agency	Performance criteria 1 of the Queensland Development Code, part 3.3'.

ENDNOTES

1   Made by the Governor in Council on 22 April 2010.

2   Notified in the gazette on 23 April 2010.

3   Laid before the Legislative Assembly on . . .

4   The administering agency is the Department of Infrastructure and Planning.