



Queensland

# Building and Other Legislation Amendment Regulation (No. 3) 2010

## Subordinate Legislation 2010 No. 148

made under the

*Building Act 1975*

*Plumbing and Drainage Act 2002*

*Sustainable Planning Act 2009*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Building and Other Legislation Amendment Regulation (No. 3) 2010*.

### **2 Commencement**

Part 2 and sections 10 and 17 commence on 1 July 2010.

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

### **3 Regulation amended**

This part amends the *Building Regulation 2006*.

### **4 Amendment of s 51BK (Approval of amendment of QDC by adding part MP3.3)**

Section 51BK(1), '22 March 2010'—

*omit, insert—*

'2 June 2010'.

### **5 Replacement of sch 3 (Fees)**

Schedule 3—

*omit, insert—*

[s 6]

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## **‘Schedule 3      Fees**

section 54

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1	For variation application (Act, s 38)—	
	(a) if site inspection by the chief executive is not required and the building has a floor area of—	
	(i) 500m <sup>2</sup> or less . . . . .	433.00
	(ii) more than 500m <sup>2</sup> . . . . .	626.00
	(b) if site inspection by the chief executive is required and the building has a floor area of—	
	(i) 500m <sup>2</sup> or less . . . . .	626.00
	(ii) more than 500m <sup>2</sup> . . . . .	929.00
2	Fee to fast-track decision for variation application (Act, s 39) . . . . .	50% of the fee payable for the application
3	Application fee for licensing a building certifier (Act, s 156) . . . . .	118.00
4	Licence fee for licensing a building certifier (Act, s 156) . . . . .	626.00’.

## **Part 3                      Amendment of Plumbing and Drainage Regulation 2003**

### **6              Regulation amended**

This part amends the *Plumbing and Drainage Regulation 2003*.

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**7 Amendment to replace references to ‘the board’**

- (1) Sections 9 and 10 and schedules 1, 2 and 3, ‘the board’—  
*omit, insert—*  
‘PIC’.
- (2) Section 9(2), ‘The board’—  
*omit, insert—*  
‘PIC’.

**8 Insertion of new s 10A**

After section 10—

*insert—*

**‘10A Waiver of fee for processing an application for a licence**

- ‘(1) This section applies to a relevant person who—
- (a) is making an application for which an application fee is payable; and
  - (b) has paid the relevant fee at least once in the current financial year.
- ‘(2) Despite section 10 and schedule 4, the fee under schedule 4, item 2 is not payable by the relevant person.

*Example—*

A applies for an endorsement of a particular type on a licence, pays the relevant fee, and that application is granted.

In the current financial year A makes a new application for a different endorsement on the same licence. The fee payable for the new application is only the application fee for an endorsement on a licence.

- ‘(3) In this section—

***application fee*** means a fee under schedule 4, item 1.

***current financial year*** means the financial year in which the relevant person paid the relevant fee.

***relevant fee*** means—

[s 9]

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- (a) any fee under schedule 4, item 1; and
- (b) the fee under schedule 4, item 2.

*relevant person* means an individual or licensee who may make an application under part 3 of the Act.’

**9 Amendment of sch 2 (Qualifications, practical experience and scope of work for restricted licences)**

Schedule 2, item 2, column 4, after ‘electric’—  
*insert*—  
‘resistance’.

**10 Replacement of sch 4 (Fees)**

Schedule 4—  
*omit, insert*—

**‘Schedule 4 Fees**

section 10

\$

1	Application—	
(a)	for a plumbers licence or drainers licence (Act, s 36) . . .	106.00
(b)	for a provisional licence (Act, s 36) . . . . .	49.00
(c)	for a restricted licence (Act, s 36) . . . . .	66.00
(d)	for an endorsement on a licence (Act, s 37(a), and s 7) . .	12.00
(e)	to renew a licence, for each year of renewal (Act, s 48(2)). . . . .	56.00
(f)	to renew a retired person’s licence, for each year of renewal (Act, s 48(3)) . . . . .	16.00
(g)	to restore a licence (Act, s 52) . . . . .	56.00
(h)	for a review of licence conditions (Act, s 55(3)(b)) . . . .	49.00
(i)	to replace a licence (Act, s 73) . . . . .	21.00

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	\$
(j) for a qualification to be assessed for equivalence (s 9) . . .	21.00
(k) to renew a licence for a licensee who is an employee of a registered training organisation	16.00
2 Cost of processing an application for a licence (Act, s 42(3)).	51.00
3 Certified copy of a licence (Act, s 74) . . . . .	21.00’.

**11 Amendment of sch 5 (Dictionary)**

(1) Schedule 5, definition *council*—

*omit.*

(2) Schedule 5—

*insert—*

‘**PIC** means the Plumbing Industry Council.

**TERC** means the Training and Employment Recognition Council established under the *Vocational Education, Training and Employment Act 2000*.’.

(3) Schedule 5, definitions *competencies* and *plumbing and draining apprenticeship*, ‘council’—

*omit, insert—*

‘TERC’.

**Part 4 Amendment of Standard  
Plumbing and Drainage  
Regulation 2003**

**12 Regulation amended**

This part amends the *Standard Plumbing and Drainage Regulation 2003*.

[s 13]

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**13 Amendment of s 53 (Qualifications and experience)**

Section 53, ‘board’—

*omit, insert—*

‘council’.

**14 Amendment of sch 5 (Local governments for remote areas)**

Schedule 5—

*insert—*

‘Torres Strait Island Regional Council’.

**Part 5 Amendment of Sustainable  
Planning Regulation 2009**

**15 Regulation amended**

This part amends the *Sustainable Planning Regulation 2009*.

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

Schedule 7, table 1, item 26, heading, ‘duplexes’—

*omit, insert—*

‘particular class 1 buildings’.

**17 Replacement of sch 21 (Building and development committee fees)**

Schedule 21—

*omit, insert—*



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## **‘Schedule 21      Building and development                                  committee fees**

section 23

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1      Declaration under chapter 7, part 2, division 3, subdivision 1 of the Act . . . . .	206.00
2      Appeal under section 519, 520, 521, 522, 523, 524 or 525 of the Act—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee . .	302.00
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee . . . .	503.00
3      Appeal under section 527, 528, 529, 530, 531, 532 or 533 of the Act about a class 1 building or a class 10 building or structure—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee . .	302.00
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee . . . .	503.00
4      Appeal under section 527, 528, 529, 530, 531, 532 or 533 of the Act about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m <sup>2</sup> or less—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee . .	440.00
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee . . . .	635.00

[s 17]

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	\$	
5	Appeal under section 527, 528, 529, 530, 531, 532 or 533 of the Act about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area more than 500m <sup>2</sup> —	
	(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee . . .	635.00
	(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee . . . .	944.00
6	Appeal under section 535 or 849 of the Act. . . . .	530.00’.

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ENDNOTES

- 1 Made by the Governor in Council on 24 June 2010.
- 2 Notified in the gazette on 25 June 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Infrastructure and Planning.

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