



Queensland

# Building and Other Legislation Amendment Regulation (No. ..) 2013

## Subordinate Legislation 2013 No. ...

made under the

*Building Act 1975*  
*Sustainable Planning Act 2009*

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Consultation draft

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Building and Other Legislation Amendment Regulation (No. ...) 2013*.

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

### **2 Regulation amended**

This part amends the *Building Regulation 2006*.

### **3 Amendment of sch 1 (Prescribed building work for Act, section 21)**

(1) Schedule 1, section 7—

*omit, insert—*

#### **7 Particular repairs, maintenance or alterations not affecting structural component or fire safety system**

(1) This section applies to building work that consists of repairs, maintenance or alterations to an existing building or structure, other than—

- (a) alterations to existing fencing for a regulated pool; or
- (b) repairs, maintenance or alterations to an existing relevant solar collector attached to the roof of a building.

(2) The building work is prescribed if it does not—

- (a) change the building or structure's floor area or height; or

- 
- (b) affect a structural component or the fire safety system of the building or structure.
  - (2) Schedule 1, section 8(1)—  
*omit, insert—*
    - (1) This section applies to building work if—
      - (a) the building work consists of repairs, maintenance or alterations to an existing building other than—
        - (i) alterations to existing fencing for a regulated pool; or
        - (ii) repairs, maintenance or alterations to an existing relevant solar collector attached to the roof of a building; and
      - (b) the building work—
        - (i) does not change the building or structure’s floor area or height; and
        - (ii) is for, or only affects, a minor structural component of the building.
  - (3) Schedule 1, section 13(1)—  
*insert—*
    - (e) for a relevant solar collector.
  - (4) Schedule 1—  
*insert—*

**15 Work for relevant solar collectors**

- (1) Building work is prescribed if it consists of either of the following—
  - (a) the attachment of a relevant solar collector to the roof of a building so that—
    - (i) the collector is parallel with the surface of the roof; and

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- (ii) the underside of the collector is not more than 300mm above the surface of the roof; and
- (iii) each edge of the collector is situated further than the relevant distance away from the closest edge of the roof;
- (b) repairs, maintenance or alterations to an existing relevant solar collector attached in a way described in paragraph (a).
- (2) However, for subsection (1)(b), the repair, maintenance or alteration is not prescribed if it would cause the existing relevant solar collector to be attached in a manner other than as described in subsection (1)(a).
- (3) In this section—
 

*relevant distance*, for the edge of a relevant solar collector, means the distance worked out using the following formula—

**$D \times 2$**

where—

*D* means the distance between the underside of the collector and the roof to which it is attached.

**4 Amendment of sch 4 (Dictionary)**

Schedule 4—

*insert*—

*relevant solar collector* means either of the following—

- (a) a photovoltaic solar panel;
- (b) a solar hot water system, other than a close-coupled solar hot water system.

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## Part 3 Amendment of Sustainable Planning Regulation 2009

### 5 Regulation amended

This part amends the *Sustainable Planning Regulation 2009*.

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

Schedule 7, table 1, under the heading ‘Amenity and aesthetic impact of particular building work’—

*insert*—

17A	Building work for a solar collector, if the collector is in a locality and of a form for which the local government has, by resolution or in its planning scheme, declared that the form may—  (a) have an adverse effect on the amenity, or likely amenity, of the locality; or  (b) be in conflict with the character of the locality	The local government—as a concurrence agency	The amenity and aesthetic impact of the solar collector if the building work is carried out
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### 7 Amendment of sch 26 (Dictionary)

Schedule 26—

*insert*—

*solar collector* means either of the following—

- (a) a photovoltaic solar panel;
- (b) a solar hot water system.

ENDNOTES

- 1 Made by the Governor in Council on . . .
- 2 Notified in the gazette on . . .
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Housing and Public Works.

Consultation draft