

CM301*

Building Act 2011

Building Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building Amendment Regulations 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Building Regulations 2012*.

4. Regulation 11A inserted

After regulation 10 insert:

11A. Restriction on circumstances where person treated as owner (s. 5(2))

- (1) For the purposes of section 16(b), in the circumstances where a person who holds an interest referred to in regulation 10(1)(a) has signed an application in respect of land on which a building or incidental structure is, or is proposed to be, located no other person is to be treated as the owner of the land.
- (2) For the purposes of section 16(b), in the circumstances where a person who holds an interest referred to in regulation 10(1)(b) has signed an application in respect of land on which a building or incidental structure is, or is proposed to be, located no other person is to be treated as the owner of the land.

5. Regulation 17 amended

Delete regulation 17(d).

6. Regulation 18 amended

(1) In regulation 18(2):

(a) in paragraph (c) delete “regulations;” and insert:
regulations.

(b) delete paragraphs (d) and (e).

(2) In regulation 18(3):

(a) in paragraph (a)(iv) delete “80;” and insert:
80.

(b) delete paragraph (b).

7. Regulation 20 amended

(1) In regulation 20(1) delete “is 25 business days.” and insert:

is —

(a) if the application relates to development as defined in the *Planning and Development Act 2005* section 4 and a planning scheme or interim development order that has effect under that Act provides that the development is not to be commenced or carried out without an approval being obtained upon the making of a development application —

(i) 25 business days, excluding any day that is after the day on which the development application is made and before the day on which that application is determined; or

(ii) such longer period as is agreed in writing between the applicant and the permit authority;

and

(b) otherwise, 25 business days, or such longer period as is agreed in writing between the applicant and the permit authority.

- (2) In regulation 20(2) delete “days.” and insert:

days, or such longer period as is agreed in writing between the applicant and the permit authority.

8. Regulation 53 amended

In regulation 53(2)(b) delete “to”.

9. Schedule 4 amended

In Schedule 4 clause 2 in the Table in item 2(e) delete “whether” and insert:

the way in which

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.
