

Guidelines for neighbouring property owners



The legislation ■

The Queensland Development Code (QDC) – Part 12 provides the boundary setbacks required between buildings/structures and property boundaries on lots greater than 450m².

You may site a development in a position that does not comply with the requirements of the Code, subject to gaining approval from Council. In these instances, a Siting Relaxation Application is required to be made to Council.

The Brisbane City Council is able to amend the setbacks either by application (under section 20) or by incorporation into the *City Plan 2000*.

The Performance Criteria under the QDC require that the siting of the structure:

- facilitates an acceptable streetscape appropriate for bulk/road boundary setbacks/ outlook and views of neighbouring residents/nuisance and safety to the public
- allows adequate daylight and ventilation to habitable rooms/habitable rooms of buildings on adjoining lots
- allows adequate open space for recreation, service facilities and landscaping
- does not unduly overshadow adjoining houses/obstruct the outlook from adjoining lots
- allows adequate visual privacy for neighbours
- adequately facilitates normal building maintenance
- provides adequate sight lines on corner blocks
- provides sufficient space for on-site carparking.

What is being proposed? ■

The owner/s of the allotment adjacent to your property is/are seeking to reduce the standard boundary setbacks because the proposed development will not comply with the regulation setback requirements.

Council's policy is to obtain your comments about the application for siting relaxation.

The development assessment process is an important step in ensuring Brisbane is well designed for subtropical living – part of Council's *Living in Brisbane 2010* vision for the city's future.

The assessment process ■

There are a number of factors that must be taken into consideration when relaxing the boundary clearances on allotments.

Before commenting on a relaxation, you need to consider the following factors and whether they will significantly impact on the use of your land:

- Would the natural light and ventilation be blocked out, or unduly reduced?
- Would the privacy of your home be affected more than if the building was located on the standard setbacks?
- Will the views from the living areas of your dwelling be significantly affected?
- Would the proposed building overshadow any windows, doors, decks or outdoor living areas on your property?

Other factors taken into account during the assessment are:

- The density of the buildings on the particular allotment.
- Whether sufficient landscaping space remains on the allotment.
- Whether sufficient off-street parking remains available on the allotment.
- You must provide a statement to Council. The statement is overleaf.

Your rights ■

While your views are considered, it is Council's decision to allow or disallow an application.

