

Guidelines for neighbouring property owners

The legislation

The Queensland Development Code (QDC) provides the boundary setbacks required between buildings/structures and property boundaries.

An owner 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 Concurrence Agency Application is required to be made to Council.

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

- facilitates an acceptable streetscape for the bulk of the building or structure/road boundary setbacks of neighbouring buildings/outlook and views of neighbouring residents/nuisance and safety to the public.
- Allows adequate light and ventilation to habitable rooms of buildings on the subject lot and adjoining lots and does not impact on amenity and privacy of residents on adjoining lots.
- allows adequate open space for recreation, service facilities and landscaping.
- adequately facilitates normal building maintenance.

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 acceptable solutions of the QDC.

The assessment process

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

Before commenting on the proposal, 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?
- Will the views from the living areas of your dwelling be significantly affected?

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.

Your rights

While your views are considered, Council is not obligated to decide this application based on your comments. Council can only assess the Application against the performance criteria as set out in the Queensland Development Code (QDC).

- There are no appeal provisions for owners of neighbouring properties under the current legislation.
- The QDC can be viewed online at www.dip.qld.gov.au/building/queensland-development-code.html

The development assessment process is an important step in ensuring Brisbane is well designed for subtropical living – and part of Brisbane City Council’s vision for the city’s future *Living in Brisbane 2026*.
