



Building Newsflash

Local Councils Building Certifiers Building Designers Architects

Variation of Corner Allotment Setbacks

Purpose

To provide advice on the procedures applicable to variation of corner allotment road boundary clearances under the *Standard Building Regulation 1993* (SBR).

Fences, screens, and the like

Section 47(1) of the SBR requires fences, screens, and the like located within the boundary clearances prescribed in Schedule 10 of the SBR to be no greater than one metre high. However, a local government may vary this requirement.

Note: Where an application to a private certifier requires local government to approve the height of a fence, screen, or the like greater than one metre, Section 20 of the SBR requires the local government approval to be given in writing, before the private certifier decides the application.

Nomination of road frontage

Section 47 (2) of the SBR requires a single detached class 1 building or associated class 10 building or structure on a corner allotment to be constructed in accordance with the road boundary clearances stated in division 2. Under section 36, these are 6 metres from each road boundary.

However, where the depth of any allotment is not greater than 24 m, section 47 (3) allows a reduced road boundary clearance from one frontage nominated by the local government. Once the appropriate road boundary clearance has been nominated by the local government, a building or structure may be built up to the prescribed distances shown in Schedule 11 of the SBR without the need for any further variation to be approved by the local government.

Note: Where an application is submitted to a private certifier for assessment, Section 20 of the SBR requires the local government to nominate, in writing, the road frontage to which the reduced setback will apply before the private certifier decides the application.

Variation of corner allotment requirements

Section 48 of the SBR allows a local government to vary the requirements of division 2 for a specific application. The distance to one or more road frontages may be reduced to whatever extent the local government thinks is appropriate after taking into account the matters raised in section 48(2) of the SBR. This would also include allowing a building or structure higher than two metres within the corner boundary clearances prescribed in schedule 12 of the SBR.

In considering applications, local governments may give cognisance to the purpose and relevance of the clearances contained in schedules 10 to 12. However, where appropriate they should also consider other relevant aspects, such as the effect on visibility for traffic, and development on adjoining allotments.

Note: Where an application is submitted to a private certifier for assessment under section 48 of the SBR, Section 20 requires the local government to approve of the siting of a building or structure, in writing, before the private certifier decides the application.

Related Newsflashes

- Fire Separation Assessment and Boundary Setback Relaxations (Issued 26/10/01)
- Amenity and Aesthetics Assessments (Issued 26/10/01)

Please contact Mr John Lamb on (07) 323 71712 should you require further information regarding these matters.