Siting Variation Express

Concurrence agency advice on the design and siting for single detached dwellings (class 1a) and associated class 10 buildings and structures in Brisbane, Queensland

INFORMATION KIT
including application forms and checklists
A guide for building professionals and residents

Complete the checklists included in this information kit for a quick response from Brisbane City Council.

This information kit has been designed to assist building professionals and homeowners requesting concurrence agency advice on the design and siting for class 1a buildings (single detached dwellings) and associated class 10 buildings and structures from Council.

Frequently asked questions

Why do I need to apply for a siting variation if building a carport, garage, balcony, building extension, pergola, patio, deck, roofed gatehouse or screen?
The location of single detached dwellings (Class 1a) and associated Class 10 buildings and structures is regulated by the Queensland Development Code (QDC). A homeowner or their representative may apply to locate their single detached dwelling (Class 1a) and associated Class 10 buildings and structures in locations other than the acceptable solutions provided in the QDC. This application is called a Siting Variation.

What role does Council play?
Council is a concurrence agency for providing advice to building certifiers (assessment managers) on whether an application satisfies the performance criteria of the QDC. Council’s advice is required before an approval can be issued to a building certifier (assessment manager). Council may also attach conditions as part of the advice.

When do I need to get Council’s advice?
A building certifier can obtain the advice as part of the building application or homeowners can apply to Council before lodging their building application with a building certifier (assessment manager).

Do I have to engage a building certifier (assessment manager)?
Yes. It is a requirement for Council to provide both the applicant and building certifier with the concurrence agency advice. While it is not a requirement for the building certifier to submit the application, their details must be included with the application. The building certifier must be accredited with the Building Services Authority.

What is Siting Variation Express?
Siting Variation Express is a quick application process that allows applicants to self assess their proposal against Council’s eligibility and design and siting criteria. Siting Variation Express can only be used for selected types of building and structures. It is an alternative to Council’s standard siting variation assessment processes, which cater to more complex applications.

NOTE: Siting Variation Express is not an approval or permit to commence work.

Who can use Siting Variation Express?
Anyone can use Siting Variation Express to apply for concurrence agency advice as long as the appropriate forms, contact details and necessary documentation are provided.

Can Siting Variation Express be used for any building work?
No. Siting Variation Express is only applicable if the eligibility requirements detailed on page five of this information kit are met.

What if my Siting Variation Express proposal is not eligible?
Siting Variation Express is suitable for common siting variation applications but will not be suitable for all projects. Any proposals not meeting Council’s criteria outlined in this information kit will need to be assessed using Council’s standard application process, which is available at www.brisbane.qld.gov.au

How does Siting Variation Express work?
If the proposed building work complies with criteria outlined in both the Eligibility Checklist and the Design and Siting Checklist (included in this information kit), an applicant can be issued with Council advice within three working days of Council receiving the request. The advice must be given to a building certifier (assessment manager) and will consist of a letter and conditions.
Eligible building types

**Class 1a buildings**
- New detached dwellings on one lot
- Habitable extensions or alterations to existing dwellings

**Class 10a buildings**
- Garages, carports, open carports, stables; or
- Cubby-houses, sheds
- Unenclosed pergola, portico, deck, porch or patio

**Class 10b structures**
- Non-habitable structures
  - Fence, retaining wall; or
  - Rainwater tank, pergola, gatehouse, arches, deck attached to 10a building

Types of car accommodation

Siting Variation Express uses the following explanations for car accommodation.

These may differ from definitions used in building legislation, but have been adopted to help homeowners determine if they require planning approval (in addition to a siting variation) for their proposal. Proposals which require planning approval cannot use the Siting Variation Express process.

A **garage** is an enclosed, non-habitable building that provides covered vehicular parking. It has walls on three sides and a garage door. It may be integrated into the building, attached to the building, or free-standing.

A **carport** is a partially enclosed building providing covered vehicular parking. Partially enclosed means one or more sides of the building is solid or screened. A carport will not include a garage door.

An **open carport** is an unenclosed building that provides covered vehicular accommodation. An open carport will not include a garage door. Unenclosed means the sides of the building are not enclosed with any form of wall or screening material. An open carport may be located up against a house.
Application and approval process

**STEP 1**
Check eligibility

**Do you need concurrence agency advice?**

Does your proposal meet Siting Variation Express criteria?

**STEP 2**
Provide impacted neighbour/s with letter of notification

**STEP 3**
Submit your request and obtain advice

**STEP 4**
Obtain approval from a building certifier

**Step 1**
Check eligibility

Before applying for Siting Variation Express concurrence agency advice, check whether a siting variation is necessary.

The Queensland Development Code (QDC) is available online and can be downloaded from Council’s website. Check if the proposed works comply with the acceptable solutions in the Code. If it does, there is no need to apply for a siting variation.

**If uncertain, seek advice from a licensed private building certifier.**

If the proposal does not comply with the acceptable solutions, applicants will need to obtain a siting variation from Council.

Siting Variation Express only applies to certain types of building work outlined in the design and siting checklist (located in this information kit and on Council’s website).

**Step 2**
Advise your neighbour/s

Council recommends that you notify the impacted neighbours of your proposed building work. Sample neighbour letters are available for download at www.brisbane.qld.gov.au (search siting variation).

**Step 3**
Submit your request and obtain advice

You can lodge your request for Siting Variation Express advice by email, mail, in person at a Council Customer Service Centre or Business Centre.

You will need to submit the following items:
- Siting Variation Express eligibility checklist, and design and siting checklist
- Signed Siting Variation Express application form
- Scaled, fully dimensioned and numbered site plans, floor plans and elevations.
- Site photographs

You will also need to pay a reduced fee.

**Other permits or consents**

There are many regulations associated with building and development works and homeowners may require more than one permit to construct their planned works.

Submitting an application with Siting Variation Express for concurrence agency advice is a request for advice only. It is not approval to commence construction. Receiving Siting Variation Express advice from Council does not mean you will automatically receive any other permits required for the project.

Consult a licensed building certifier for professional advice.

Planning approval may also be required if proposing work in any of the locations listed below. If applicable, planning approval will need to be obtained prior to requesting Siting Variation Express advice.

- Site is in a Demolition Control Precinct.
- Site is a small lot (as defined in the City Plan 2000).
- Works within a designated waterway corridor.
- Works on a site subject to flooding.
- Works outside a designated Building Location Plan or affecting aspects protected under a covenant.

You will need to obtain a permit to build over sewer or stormwater if your proposed works are within two metres of a sewer or stormwater line.

If your proposed works will require changes to your driveway, you will need to obtain a permit for a residential driveway.

If the site includes protected vegetation and the works will impact on that vegetation, you will require a permit to work on protected vegetation.

To find out more about protected vegetation, sewer or stormwater lines call (07) 3403 8888.
A. ELIGIBILITY CHECKLIST

To be eligible for Siting Variations Express, YES must be ticked for each of these items. For detailed definitions on each criteria, refer to the Queensland Development Code (QDC).

<table>
<thead>
<tr>
<th>The site is not a corner lot.</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site is not a small lot (average width less than 15m and/or area less than 450m²)</td>
<td>YES</td>
</tr>
<tr>
<td>The site is not a heritage place.</td>
<td>YES</td>
</tr>
<tr>
<td>The works are not located within an easement area.</td>
<td>YES</td>
</tr>
<tr>
<td>The works are not located within a designated waterway corridor.</td>
<td>YES</td>
</tr>
<tr>
<td>The works do not affect vegetation protected under the Natural Assets Local Law.</td>
<td>YES</td>
</tr>
<tr>
<td>The works do not affect aspects protected by a covenant.</td>
<td>YES</td>
</tr>
<tr>
<td>The works are not located within an area described by a building location plan.</td>
<td>YES</td>
</tr>
</tbody>
</table>

Where the site is in a Demolition Control Precinct:

The works comply with a current Development Approval or the works are exempt from planning approval in accordance with the Residential Design - Character Code.

Where the site is within a Local Plan area:

The Local Plan does not contain provisions for the siting or site cover of houses or the proposed works comply with the provisions in the Local Plan for the siting or site cover of houses.

B. DESIGN AND SITING CHECKLIST

Siting Variation Express only applies to the following types of building work where they comply with the stated criteria. Where the building work being proposed is not mentioned in this checklist or does not meet the stated criteria, siting variation express cannot be used. Unless otherwise defined or explained in this kit, all other definitions are as per the QDC definitions.

Tick one or more of the boxes corresponding to the type of building work proposed.

ROAD SETBACKS

Setback measured from outermost projection to the road boundary.

- New houses / extensions to houses where:
  - having a maximum height of 4.5m from ground level; and
  - seeking a minimum setback of 4.5m

- New houses / extensions to houses' where:
  - having a maximum height of 7.5m from ground level; and
  - seeking a minimum setback of 5.0m

- Garage/Carport where:
  (see ‘Types of car accommodation’) - seeking a minimum setback of 5.0m; and
  - the gradient of the driveway across the footway will comply with Council’s requirements

- Open Carport, where: (see ‘Types of car accommodation ’)
  - having a maximum height of 3.5m and;
  - having a maximum dimension of 6m x 6m measured post to post, and;
  - with a maximum overhang of 0.9m; and
  - seeking a minimum setback of 0.2m
  - the gradient of the driveway across the footway will comply with Council’s requirements

SIDE AND REAR SETBACKS

Minimum setback not sought

- Screens, fences or retaining walls (not combined), where:
  - having a maximum height of 3.0m from ground level

- Combination of fence and retaining walls, where:
  - having a maximum height of 3.0m from ground level; and
  - the retaining wall component does not exceed 1.0m in height

- Pergolas or other similar structure used for ornamental or horticultural purposes where:
  - unenclosed and unroofed; and
  - having a maximum height of 2.7m from ground level

- Class 10a Buildings, where:
  - having a maximum height of 4.5m; and
  - having a mean height no greater than 3.5m; and
  - having a total length of all parts not exceeding 12.0m; and
  - the parts within the prescribed boundary clearance are not closer than 1.5m to a window in a habitable room of an adjoining dwelling

SITE COVER

- All buildings and structures roofed with impervious materials, where
  - seeking a maximum coverage of 55% of the site area.

For more comprehensive information visit www.brisbane.qld.gov.au (search for siting variation) or phone (07) 3403 8888.

Dedicated to a better Brisbane

1 Where A1(a)(ii) of the QDC is not applicable
2 Refer to Council’s website for details of driveway requirements
3 May be less than that specified in the QDC
APPLICATION
for Siting Variation Express
Request for concurrence agency advice

Attached is:
- Completed eligibility checklist
- Completed design and siting checklist
- Scaled fully dimensioned and numbered site plans, floor plans and elevations
- Photographs

Applicant’s details
Name ____________________________ Phone ____________________________
Address _______________________________________________________________________________________________________
Email _______________________________________________________________________________________________________

Building certifier (assessment manager’s) details
Name ____________________________ Phone ____________________________
Company Name _______________________________________________________________________________________________________
Address _______________________________________________________________________________________________________
Email _______________________________________________________________________________________________________
BSA Accreditation Number _____________________________________________________________________________________________

Address of proposed work
Address _______________________________________________________________________________________________________
Real Property Description
(Lot and RP) _____________________________________________________________________________________________

Declaration of Owner/Owners
☐ I/We have reviewed and considered Council’s requirements for the Siting Variation Express process (current at the time of application) outlined in the information kit.
☐ I/We confirm that the proposed works are in accordance with both the eligibility and design and siting checklist set out by Council for the Siting Variation Express process.
☐ I/We confirm that we have obtained any relevant permits required prior to obtaining concurrence agency advice.
☐ I/We understand that if the proposed works do not comply with Council’s requirements for the Siting Variation Express process (current at the time of application), Council may pursue compliance action to rectify inappropriately sited buildings or structures.
☐ I/We understand that this application is for concurrence agency advice only, and that a building approval must be issued by a licensed Building Certifier prior to any construction activity taking place.

Owner’s signature ___________________________________________________________________ Date _____________________________
Owner’s signature ___________________________________________________________________ Date _____________________________

Submit all completed documents by:
Mail: Built Environment & Land Use, Brisbane City Council, GPO Box 1434, Brisbane Q 4001
Email: CARSAadmin@brisbane.qld.gov.au
In person: Brisbane City Council Regional Business Centres (see Council’s website for locations)