



Brisbane City Council

Chapter 11 – Sundry Matters Relating to Structures Local Law

Consolidated as at 4/11/2014
In force as at 7/11/2014



Dedicated to a better Brisbane

Chapter 11 – Sundry Matters Relating to Structures Local Law

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Definitions

1. In this Chapter, unless the context otherwise indicates or requires -

"Building" means any fixed structure which is either wholly or in part enclosed by walls and which is roofed: Where the context permits or requires the term includes any part of a building;

"erect" includes -

- (a) erect or commence or continue to erect;
- (b) do, or commence or continue to do any work in the course of or for the purpose of erecting;
- (c) perform any structural work or make any alteration, addition or rebuilding;
- (d) move from one position on an allotment to another position on or partly on the same allotment or another allotment;
- (e) re-erect with or without alteration on or partly on the same allotment; and
- (f) where a building or other structure is located on more than one allotment -
 - (i) move to another position on the same allotments or any of them or to another allotment or allotments; or
 - (ii) re-erect with or without alteration on another position on the same allotments or any of them or on another allotment or allotments;

"Owner" in relation to any land, building or other structure, includes any person having an estate or interest therein, or the occupier thereof, or any person who is the registered mortgagee or registered encumbrance in respect thereof;

"Structure" includes a wall or fence and anything that is affixed to or projecting from a building, wall, fence or other structure.

Buildings left incomplete

- 2.(1) Where after the commencement of the erection of a proposed building no substantial building work in relation thereto is carried out within a period of 12 months, the Council may by notice in writing given to the owner of the land whereon such erection has commenced require him, within such time as is specified in the notice, to demolish or remove such part of the proposed building as has been erected on that land.
- (2) Before it gives a notice under paragraph (1), the Council shall afford the owner of the land on which the erection of a proposed building has been commenced an opportunity to show cause why the notice should not be given by notifying the owner in writing of a day, being not earlier than 30 days after the giving of the notification, on or before which he may show cause why a notice under that paragraph should not be given.
- (3) A person to whom notification is given under paragraph (2) may endeavour to show cause by writing furnished to the Chief Executive Officer.
- (4) Where a person to whom a notice under paragraph (1) has been given fails, within the time specified in the notice, to demolish or remove the part of the proposed building to which the notice relates, the Council or any person thereunto authorized by the Council may demolish or remove the building and shall recover all costs thereby incurred from the owner as a debt.

Endnotes

Key

Key to abbreviations in list of amendments

Key	Explanation
amd =	amended
ch =	chapter
def =	definition
div =	division
hdg =	heading
ins =	inserted
om =	omitted
pt =	part
renum =	renumbered
rep =	repealed
s =	section
sch =	schedule
sub =	substituted

List of amendments

s 2(3)	amd	<i>Administrative Arrangements Local Law 2013 s 4</i>
s 3	om	<i>Public Land and Council Assets Local Law 2014 s 99</i>
s 3(3)	amd	<i>Administrative Arrangements Local Law 2013 s 4</i>
s 4	om	<i>Public Land and Council Assets Local Law 2014 s 99</i>