



Brisbane City Council

Chapter 6 – Streets, Bridges, Culverts, Etc. Local Law

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Dedicated to a better Brisbane

Chapter 6 – Streets, Bridges, Culverts, Etc. Local Law

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Part 3 – Allotment Identification

1.(1) In this Part, unless the context otherwise indicates or requires -

"Allotment" means a piece, parcel or subdivision of land the boundaries of which are separately defined by metes and bounds on a current plan deposited in the Survey Office or, in the case of land under the *Real Property Act 1861-1980* which has been subdivided, any and every subdivision of such land the boundaries of which are separately defined by metes and bounds on the relevant current plan registered with the Registrar of Titles under and in accordance with the *Real Property Act 1861-1980*;

"Current plan" in relation to any land means -

- (a) a plan registered with the Registrar of Titles under and in accordance with the *Real Property Act 1861-1980* but does not include so much of that plan as relates to land included in a plan so registered after the plan firstmentioned in this paragraph (a) was so registered; or
- (b) a plan of survey deposited in the Survey Office but does not include so much of that plan as relates to land -
 - (i) included in a plan registered with the Registrar of Titles under and in accordance with the *Real Property Act 1861-1980* after the plan firstmentioned in this paragraph (b) was deposited; or
 - (ii) included in a plan of survey deposited in the Survey Office after the plan firstmentioned in this paragraph (b) was deposited;

"Frontage" means any boundary line, or part thereof, of land which coincides with the alignment of a road;

"House number" means a number which when used in conjunction with the name of the road to which an allotment has frontage -

- (a) is a means of distinguishing the allotment from all other allotments having frontage to that road; and
- (b) subject to the criteria used in connexion with its choice in respect of the allotment, is intended as a substantially accurate means of indicating the location of the allotment;

"House number plate" means a plate, sign or other device which is designed to indicate or is capable of indicating a house number;

"Number" means a symbol by which a thing has a place assigned to it in a series;

"Officer" means any person holding office under or employed by the Council;

"Owner" -

- (a) in relation to an allotment which comprises the land in a group titles plan registered pursuant to the *Group Titles Act 1973* or the *Building Units and Group Titles Act 1980* means the body corporate constituted by the proprietors of the lots contained in such group titles plan; and

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- (b) in relation to an allotment which comprises the land in a building units plan registered pursuant to the *Building Units Titles Act 1965-1972* or the *Building Units and Group Titles Act 1980* means the body corporate constituted by the proprietors of the units contained in such building units plan;
- (2) For the purposes of this Part, where the only access from a road to an allotment is by way of an easement granted for that purpose, the area of that easement shall, notwithstanding that it forms part of another allotment, be deemed to also form part of that firstmentioned allotment.
- 2.(1)** Subject to the succeeding paragraphs of this ordinance and to ordinance 6, as soon as practicable after -
- (a) in the case of an allotment in existence at the commencement of this Part, such commencement;
- (b) in the case of an allotment created after the commencement of this Part, the time of such creation; or
- (c) in the case of an allotment in respect of which a prior determination under this ordinance has been revoked, the time of such revocation,
- the Council shall determine a house number in respect of each allotment in the City having frontage.
- (2) In determining the house number in respect of an allotment pursuant to paragraph (1), the Council shall have regard to -
- (a) the number, if any, which at any time prior to the determination of a house number in respect of the allotment is used in relation to the allotment for the purpose of identifying the location of that allotment in respect of a road to which that allotment has a frontage;
- (b) where that allotment, having regard to the Town Plan for the City in force at the material time, may be or is likely to be subdivided at some later time into more than one allotment, the number of such allotments; and
- (c) such other matters as are in its opinion relevant.
- (3) Where an allotment has more than one frontage, there shall be determined in respect of that allotment such number of house numbers as equals the number of frontages had by that allotment where each of such house numbers is determined by reference to a different frontage as if that frontage were the only frontage had by that allotment.
- (5) Nothing in paragraph (1) shall be read as requiring a house number to be determined in respect of any land after that land has ceased to constitute an allotment.
- 3.(1)** Subject to ordinance 6, a determination under ordinance 2 shall remain in force until -
- (a) the land constituting the allotment in respect of which it was made has ceased to constitute such allotment; or
- (b) its revocation pursuant to paragraph (2),
- whichever first occurs.

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- (2) The Council may revoke a determination of a house number in respect of an allotment if the matters which were relevant to the determination of that house number at the time it was so determined have altered to such extent as in the opinion of the Council warrant the determination of a different house number in respect of that allotment.
- 4.(1) Subject to paragraph (2), as soon as practicable after it determines a house number or numbers in respect of an allotment and while that determination remains in force, the Council shall by notice in writing given to the owner of the allotment allocate that house number or, as the case may be, one of those house numbers in respect of that allotment.
- (2) Where two or more adjoining allotments are in single occupation and the house numbers in respect of those allotments have been determined by it, the Council may, as soon as practicable after the determination and while the determination remains in force, instead of allocating a house number in respect of each of those allotments by notice in writing given to the owner of the allotments allocate in respect of those allotments one of those house numbers determined by it.
- (3) Where the Council revokes an allocation of a house number in respect of an allotment pursuant to paragraph (2) of ordinance 5, it shall thereupon and having regard to the circumstances whereunder the revocation is being made by notice in writing given to the owner of the allotment allocate a house number in respect of that allotment being -
- (a) one of the house numbers determined in respect of that allotment; and
 - (b) a house number other than the house number the allocation of which in respect of that allotment is being revoked.
- (4) Where the Council revokes an allocation of a house number in respect of two or more adjoining allotments pursuant to paragraph (3) of ordinance 5, it shall thereupon and having regard to the circumstances whereunder the revocation is being made -
- (a) in a case to which provision (a) of that paragraph applies, by notice in writing given to the owners or owner of such allotments or allotment, allocate -
 - (i) in respect of any two or more adjoining allotments which remain in single occupation, a house number being one of the house numbers determined by it in respect of those allotments; or
 - (ii) in respect of each other of those allotments, a house number being the house number or one of the house numbers determined by it in respect of that allotment; or
 - (b) in a case to which provision (b) of that paragraph applies, by notice in writing given to the owner of the allotments, allocate a house number in respect of the allotments being-
 - (i) a house number determined by it in respect of one of those allotments; and
 - (ii) a house number other than the house number the allocation of which in respect of those allotments is being revoked.
- (5) In allocating a house number in respect of an allotment in respect of which it has determined more than one house number, the Council shall have regard to -
- (a) in the case of an allotment in relation to which a number is at any time prior to the determination of the house numbers used for the purpose of identifying the location of that allotment in respect of a road to which that allotment has a frontage, the

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- frontage in respect of which the number is so used;
- (b) the frontage at which pedestrian access to the allotment is most likely to be ordinarily obtained; and
 - (c) such other matters as are in its opinion relevant.
- (6) In allocating one house number in respect of two or more adjoining allotments, the Council shall have regard to -
- (a) in the case of allotments in relation to which a number is at any time prior to the determination of the house numbers in respect of the allotments used for the purpose of identifying the location of those allotments in respect of a road to which those allotments have frontage, that number;
 - (b) which of the allotments has the frontage at which pedestrian access to the allotments is most likely to be ordinarily obtained; and
 - (c) such other matters as are in its opinion relevant.
- (7) Where more than one house number has been determined by it in respect of an allotment, the Council shall, in allocating one of those house numbers in respect of that allotment, specify the frontage of the allotment by reference to which that house number is being allocated which frontage shall correspond with the frontage by reference to which that house number was determined by it.
- (8) The Council shall, in allocating one house number in respect of two or more adjoining allotments, specify the frontage of the allotment by reference to which that house number is being allocated which frontage shall correspond with the frontage by reference to which that house number was determined by it.
- 5.(1)** An allocation under ordinance 4 shall remain in force until -
- (a) the determination pursuant to which it was made ceases to be in force; or
 - (b) its revocation pursuant to paragraph (2) or paragraph (3),
- whichever first occurs.
- (2) The Council may by notice in writing given to the owner of such allotment revoke an allocation of a house number in respect of an allotment in respect of which it has determined more than one house number if the matters which were relevant to the allocation of that house number at the time it was so allocated have altered to such extent as in the opinion of the Council warrant the allocation of a different house number in respect of that allotment.
- (3) The Council may by notice in writing given to the owners or, as the case may be, owner of such allotments revoke an allocation of a house number in respect of two or more adjoining allotments if -
- (a) the allotments have ceased to be in single occupation; or
 - (b) the matters which were relevant to the allocation of that house number at the time it was so allocated, being matters other than the ceasing of the allotments to be in single occupation, have altered to such extent as in the opinion of the Council warrant the allocation of a different house number in respect of those allotments.

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6. Where but for or for the purposes of the widening of a road or a corner truncation the land constituting an allotment would not have ceased to constitute such allotment, any determination or allocation under this Part of a house number in respect of that allotment or allotments including that allotment shall upon that land's ceasing to constitute such allotment and thereafter, subject as otherwise provided in this Part, apply in respect of the allotment constituted by such part of such land as is not required or used for the purposes of such widening of road or corner truncation or, as the case may be, allotments including that second mentioned allotment, as if it were made in respect of such second mentioned allotment or allotments including such second mentioned allotment.
- 7.(1) Upon the determination under this Part of a house number in respect of an allotment the Council shall cause the same to be shown on a map on such scale as it thinks expedient and shall cause such map to be from time to time revised and such additions made thereto as will show -
- (a) each new determination under this Part of a house number in respect of that allotment;
 - (b) each allocation under this Part of a house number in respect of that allotment or allotments including that allotment;
 - (c) the ceasing to be in force of a determination or allocation under this Part of a house number in respect of that allotment or allotments including that allotment,
- and the date of every revision shall be expressed therein.
- (2) Every such map together with a copy thereof shall be kept at the offices of the Council.
- 8.(1) The owner of an allotment or allotments in respect of which a house number has been allocated under this Part shall at all times -
- (a) after the expiration of 30 days from such allocation;
 - (b) while such allocation remains in force; and
 - (c) while that allotment is or those allotments are occupied or being used for any purpose,
- cause that house number to be displayed thereat by means of a house number plate which -
- (i) in the case of an allotment or allotments on which part of a building other than an outbuilding is erected not more than 1.5 metres from the frontage by reference to which the house number allocated was determined under this Part, is prominently affixed above the main entrance to the building: Provided that where an awning exists over the road abutting that frontage, another house number plate shall be prominently affixed on the front fascia of the awning;
 - (ii) in the case of an allotment or allotments on which no part of a building other than an outbuilding is erected less than 1.5 metres from the frontage by reference to which the house number allocated was determined under this Part, is prominently affixed -
 - (A) where there is a gate at the point whereat pedestrian access to the allotment or allotments is ordinarily obtained and that point is situated on that frontage, on that gate;
 - (B) where there is no such gate and the point whereat pedestrian access to the

allotment or allotments is ordinarily obtained is situated on that frontage, on any fencing, post or other structure which is not more than 1.5 metres from that point;

- (C) where there is no such gate and the point whereat pedestrian access to the allotment or allotments is ordinarily obtained is not situated on that frontage, on any fencing, post or other structure at some point on that frontage,

so that it is not less than 750 millimetres and not more than 2 metres above the natural ground level.

- (2) A house number plate required by paragraph (1) to be displayed shall comply with the following specifications:-
- (a) a number plate shall be fabricated from durable materials not subject to rapid deterioration as a result of exposure to the weather;
 - (b) a number plate may comprise a representation of the house number or a representation of the house number together with a visual background thereto;
 - (c) a number plate may be fabricated as one sign incorporating all appropriate numerals and other characters, if any, constituting the house number, or separate numerals and other characters, if any, constituting the house number may be mounted or affixed conjointly to comprise one number plate;
 - (d) the height of any numeral or other character, if any, constituting part of a house number shall be not less than 50 millimetres when measured from the highest to the lowest point of such numeral or other character;
 - (e) the numerals, other characters, if any, and visual background thereto (whether the background is incorporated in the number plate or not) shall provide sufficient colour contrast to enable the representation of the house number to be easily discernible and legible at a distance of 10 metres in bright daylight conditions.

9.(1) Where a house number has been allocated under this Part in respect of an allotment or allotments, a person shall not cause, suffer or permit to be displayed thereat a house number plate which indicates a number which is not the house number allocated under this Part in respect of that allotment or those allotments.

(2) Where a house number allocated under this Part in respect of an allotment or allotments is displayed thereat by means of a house number plate affixed as prescribed by paragraph (1) of ordinance 8 and which complies in all respects with the specifications prescribed by paragraph (2) of that ordinance, a person shall not without reasonable excuse, the proof whereof shall lie upon him -

- (a) pull down, injure or deface; or
- (b) attempt to pull down, injure or deface,

such number plate or any part thereof.

10.(1) Any person who -

- (a) fails to comply with a requirement of ordinance 8; or
- (b) does any thing forbidden by ordinance 9,

shall be guilty of an offence.

- (2) Any person guilty of an offence under this Part shall be liable to a maximum penalty of 10 penalty units.

12.(1) Any person who desires to obtain information as to -

- (a) the house number or house numbers, if any, determined under this Part in respect of an allotment; or
- (b) the house number, if any, allocated under this Part in respect of an allotment or allotments,

may make application therefor to the Manager -

- (i) in the form or manner approved generally by the Chief Executive Officer; or
 - (ii) where the Chief Executive Officer has not so approved, in the manner directed in a particular case by the Manager.
- (3) Upon a person's making an application under paragraph (1) and the payment of the fees, if any, payable by that person in respect thereof, the information wherefor application has been made shall be furnished to that person by the Manager in such manner as he thinks is fit in the circumstances.
- (4) Upon payment to the Council of the fees, if any, of such amount as is in accordance with the scale of fees fixed for the time being by resolution of the Council, a person may at any reasonable time during the hours the offices of the Council are open for business with the public and at such place as is nominated by the Manager inspect a copy of a map kept pursuant to ordinance 8 or make a copy or extract of any part of any such copy of a map.

13. Where provision is made in this Part for the giving of a notice in writing to the owner of an allotment or allotments, such notice shall be deemed for the purposes of this Part to have been given to the owner of the allotment or allotments -

- (a) where the owner is the body corporate constituted by the proprietors of the lots contained in a group titles plan registered pursuant to the *Group Titles Act 1973*, if it is given by prepaid registered post addressed to the body corporate at the address endorsed upon the group titles plan pursuant to provision (a) of subsection (1) of section 4 of that Act or it is placed in the receptacle referred to in subsection (1) of section 25 of that Act;
- (b) where the owner is the body corporate constituted by the proprietors of the units contained in a building units titles plan registered pursuant to the *Building Units Titles Act 1965-1972*, if it is given by prepaid registered post addressed to the body corporate at the address endorsed upon the building units plan pursuant to provision (h) of subsection (1) of section 4 of that Act or it is placed in the receptacle referred to in subsection (1) of section 27 of that Act;
- (c) where the owner is the body corporate constituted by the proprietors of the lots contained in a group titles plan or the units contained in a building units plan registered pursuant to the *Building Units and Group Titles Act 1980*, if it is given by prepaid registered post addressed to the body corporate at the address endorsed upon the group titles plan or, as the case may be, building units plan pursuant to paragraph

- (h) of subsection (2) of section 9 or, as the case may be, paragraph (h) of subsection (1) of section 9 of that Act or it is placed in the receptacle referred to in provision (d) of subsection (1) of section 38 of that Act;
- (d) in any other case, if it is given by prepaid registered post addressed to the owner at his address as shown in the records of the Council relating to the levying of rates.

Part 4 – Part number not used

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

PART 1 STREETS

Part 1	om	<i>Public Land and Council Assets Local Law 2014 s 98</i>
s.13(3)	amd	<i>Administrative Arrangements Amending Local Law 2013 s 4</i>
s 44	amd	<i>Administrative Arrangements Amending Local Law 2013 s 11</i>

PART 2 BRIDGES AND CULVERTS

Part 2	om	<i>Public Land and Council Assets Local Law 2014 s 98</i>
s 6	amd	<i>Administrative Arrangements Amending Local Law 2013 s 12</i>

PART 3 ALLOTMENT IDENTIFICATION

s 10(2)	amd	<i>Administrative Arrangements Amending Local Law 2013 s 13</i>
s12(1)(b)(i)	amd	<i>Administrative Arrangements Amending Local Law 2013 s 4</i>
s12(1)(b)(ii)	amd	<i>Administrative Arrangements Amending Local Law 2013 s 4</i>

PART 4 RECEPTACLES FOR REFUSE IN ROADS

Part 4	om	<i>Public Land and Council Assets Local Law 2014 s 98</i>
s 6	amd	<i>Administrative Arrangements Amending Local Law 2013 s 14</i>