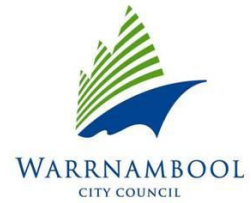


REGULATION 79
Building Regulations 2018
APPLICATION FOR 'REPORT & CONSENT'
ASSESSMENT CRITERIA – SECTION B
SIDE & REAR SETBACKS



DESCRIPTION OF PROPOSAL AND REASONS FOR APPLICATION

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The Minister for Planning in his Minister’s Guideline MG/12 has set out the Objectives and Decision Guidelines in respect to regulation **79** that Council must have regard to when considering varying a design and siting standard.

Note: If any matter set out in the guidelines is not met, then Council **must refuse** consent.

To assist Council in determining if the Objective and Decision Guidelines have been met, please describe how your application meets the following appropriate assessment criteria

OBJECTIVE

To ensure that the height and setback of a building from a boundary respect the existing or preferred character and limits the impact on the amenity of existing dwellings.

DECISION GUIDELINES

- a) The setback will be more appropriate taking into account the prevailing setback of existing buildings on nearby allotments; **or**

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- b) The setback will be more appropriate taking into account the preferred character of the area, where it has been identified in the relevant planning scheme; **or**

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c) The slope of the allotment and/or existing retaining walls or fences reduce the effective height of the building; **or**

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d) The building abuts a side or rear lane; **or**

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e) The building is opposite an existing wall built to or within 150mm of the boundary; **or**

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f) The setback will not result in a significant impact on the amenity of the secluded private open space and habitable room windows of existing dwellings on nearby allotments; **and**

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g) The setback is consistent with a building envelope that has been approved under a planning scheme or planning permit and/or included in an agreement under Section 173 of the Planning and Environment Act 1987; **and**

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h) The setback will not result in a disruption of the streetscape; **and**

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- i) The setback is consistent with any relevant neighborhood character objective, policy or statement set out in the relevant planning scheme.

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