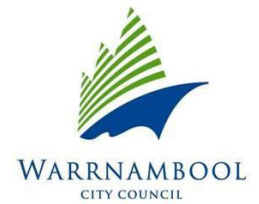


**REGULATION 74**  
**Building Regulations 2018**  
APPLICATION FOR 'REPORT & CONSENT'  
ASSESSMENT CRITERIA – SECTION B  
**MINIMUM STREET SETBACK**



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**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 74** 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 setbacks of a principal single dwelling from a street respect the existing or preferred character of the neighbourhood and make efficient use of the site.

**DECISION GUIDELINES**

The reporting authority may give its consent where a principal single dwelling does not comply with Regulation 74 (Minimum street setback) of the Regulations if-

**all of the following criteria apply:**

- a) The setback is consistent with a building envelope, if one has been approved under a planning scheme or planning permit and or specified in an agreement under Section 173 of the *Planning and Environment Act 1987*; and

**Comment:**

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

**Comment:**

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c) The setback is consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme; and

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**at least one of the following criteria apply;**

d) The setback is will be more appropriate taking into account the prevailing setback within the street; or

**Comment:**

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e) 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

**Comment:**

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f) The siting of the building is constrained by the shape and or dimensions of the allotment; or

**Comment:**

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g) The siting of the building is constrained by the slope of the allotment or other conditions on the allotment; or

**Comment:**

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h) There is a need to decrease the setback to maximise solar access to habitable room windows and or private open space; or

**Comment:**

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i) The setback will be more appropriate taking into account the desire or need to retain vegetation on the allotment.

**Comment:**

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