

REGULATION 80

Building Regulations 2018

APPLICATION FOR 'REPORT & CONSENT'

ASSESSMENT CRITERIA – SECTION B



WALLS AND CARPORTS ON BOUNDARIES

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 80** 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 location, length and height of walls on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings on adjoining allotments.

DECISION GUIDELINES

The reporting authority may give its consent to an application for a building permit for a principal single dwelling or a small second dwelling (as applicable) that does not comply with Regulation 80 (Walls and carports on boundaries) of the Regulations if-

all of the following criteria apply;

- a) The location, length and or height of the wall(s) will not result in a significant impact on the amenity of existing dwellings on nearby allotments; and

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b) 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

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c) The location, length and height of the wall 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 location, length and or height of the wall will be appropriate taking into account the prevailing location, length and or height of boundary walls of existing buildings on nearby allotments; or

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e) The location, length and or height of the wall 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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f) The slope of the allotment and or existing retaining walls or fences reduce the effective height of the wall; or

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g) The wall abuts a side or rear lane; or

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h) The increased wall height is required to screen a box gutter.

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