ASSESSMENT CRITERIA

Side and rear setbacks - Regulation 79

**APPLICATION FOR COUNCIL CONSENT TO VARY REQUIREMENTS OF PART 5**

**OF THE BUILDING REGULATIONS 2018**

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| When considering varying a design and siting standard, Council must have regard to the **Objectives and decision guidelines** set by the Minister for Planning in the Minister’s Guideline MG/12.  To assist Council in determining if the guidelines have been met, please describe how your application meets the following assessment criteria. If the criteria is not applicable, please explain why it is not applicable to your application.  **Failure to meet guidelines may result in Consent being refused.** | | | | |
|  | | | Date |  |
| Property address | |  | | |
|  | | | | |
| **Description of proposal and reason for application:** | | | | |
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| **Side and Rear Setbacks - Regulation 79** | | | | |
| **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** | | | | |
| 1. The setback will be more appropriate taking into account the prevailing setback of existing buildings on nearby allotments; or | | | | |
| Comment |  | | | |
| 1. 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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| 1. The slope of the allotment and/or existing retaining walls or fences reduce the effective height of the building; or | |
| Comment |  |
| 1. The building abuts a side or rear lane; or | |
| Comment |  |
| 1. The building is opposite an existing wall built to or within 150mm of the boundary; or | |
| Comment |  |
| 1. 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 | |
| Comment |  |
| 1. 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 | |
| Comment |  |
| 1. The setback will not result in a disruption of the streetscape; and | |
| Comment |  |
| 1. The setback is consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme. | |
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