Building Act 1993 – Building Regulations 2018 – Schedule 2 - Regulation 79

Application to Vary Building Regulation 79 – Side and Rear Setbacks



PROPERTY VARIATION IS SOUGHT FOR						
ADDRESS Number Street/Road						
Town Postcode						
APPLICANT DETAILS						
APPLICANT NAME						
POSTAL ADDRESS						
PHONE (BH) EMAIL						
IMPORTANT INFORMATION						
For your application to be assessed, the completed application form must be accompanied by the following:						
Description of proposal, and justification of compliance with the Minister's decision guidelines (see attached form)						
 Two (2) copies of properly prepared plans which include: site plan showing all dimensions and setbacks of existing buildings and affected adjoining buildings elevations of the proposed building with the slope of the land and maximum wall heights clearly indicated plans showing any affected adjoining buildings indicating location of their habitable room windows and location for their secluded open space area 						
 any other information that would support the application 						
Copy of a current Certificate of Title						
A fee of \$311.80						
APPLICANT SIGNATURE						
Signature Date						
HOW WOULD YOU LIKE TO RECEIVE YOUR PERMIT						
WILL COLLECT BY MAIL BY EMAIL						
PAYMENT OPTIONS						
CONTACT US Phone 03 5760 2600 to make an EFTPOS or credit payment over the phone. Fax 03 5762 5537 Email council@benalla.vic.gov.au IN PERSON Visit the Council's Customer Service Centre at 1 Bridge Street East, Benalla Send this application back to us with cheque for the full amount made pay to Benalla Rural City Council, PO BOX 227, BENALLA VIC 3671						
OFFICE USE Date received Receipt number						

Information Privacy The personal information requested on this form is being collected by Council for assessment of your application for a consent and report pursuant to Building Regulation 414(6). The personal information will be used solely by Council for this primary purpose or directly related purposes. The applicant understands that the personal information provided is for the assessment of the consent and report application and that he/she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's privacy officer.

DE	SCRIPTION OF PROPOSAL AND REASONS FOR APPLICATION
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AS	SESSMENT CRITERIA Side and Rear Setbacks – Regulation 79
dec	e Minister for Planning (Minister's Guideline MG/12, June 2005) has set out the objective and sision guidelines that Council must have regard to when considering varying a design and siting indard.
lf a	ny matter set out in the guideline is not met, then Council must refuse consent.
	assist Council in determining if the objective and decision guidelines have been met, please describe vyour application meets the following appropriate assessment criteria.
exi	jective: To ensure that the height and setback of a building from a boundary respects the sting or preferred character and limits the impact on the amenity of existing dwellings.
a.	the setback will be more appropriate taking into account the prevailing setback of existing building on nearby allotments; or <i>(comment below)</i>
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 <i>(comment below)</i>

	the slope of the allotment and or existing retaining walls or fences reduce the effective height of the building; or <i>(comment below)</i>				
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tŀ	ne building abuts a side or rear lane; or <i>(comment below)</i>				
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	ne building is opposite an existing wall built to or within 150mm of the boundary; or <i>(comment elow)</i>				
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S	ne setback will not result in a significant impact on the amenity of the secluded private open pace and habitable room windows of existing dwellings on nearby allotments; and <i>(comment elow)</i>				
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S	ne setback is consistent with a building envelope that has been approved under a planning cheme or planning permit and/or included in an agreement under Section 173 of the Planning nd Environment Act 1987; and <i>(comment below)</i>				
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th	ne setback will not result in a disruption of the streetscape; and (comment below)				
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the setback is consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme.

i. the setback statement s	r objective, policy or)					
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OFFICE USE ONLY						
Reviewed by	BC / MBS	PC	MD			
	☐ Approved ☐ Refused	☐ Approved ☐ Refused	☐ Approved ☐ Refused			
Signature						
Date						
Comments						
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