

DETERMINATION OF THE BUILDING APPEALS BOARD

Municipality City of Boroondara
Site Address 64 Malmsbury Street, Kew 3101
Applicant Scott O'Brien Sharlea Disney

Class of Building 1a
Section of the Building Act 1993 s160
Provision of Building Regulations 2006
BCA Edition 2016
BCA Performance Requirement P2.3.1
BCA Deemed to Satisfy Provision 3.7.1.5
Australian Standard

Nature of Application

1. P2.3.1 (3.7.1.5)
To permit the verandah and decking attached to the dwelling and abutting the western boundary, as indicated in the submission, to remain as constructed without the required fire protection i.e. without an external wall with an FRL of 60/60/60.
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Decision/s of the Panel

1. Approved, with the modifications or variations specified in the application.
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Panel Members **Date of Hearing** 20/04/2017
Brent Williams, Sharon Houlihan, Penelope Martyn, Dang Hodinh

ORIGINAL SIGNED

Chairperson, Building Appeals Panel **Registrar**

Date signed: 20/04/2017

OFFICE USE Ref: GD : 449656

Note:
This determination made pursuant to section 162 of the *Building Act 1993* must not be construed as an approval or endorsement relative to any other Act, regulation control or matter pertaining to the nature to which this determination relates.
In particular the determination shall not be taken to authorise any departure from approved documents or other matters that have been or are able to be the subject of other approval procedures pursuant to the *Planning and Environment Act*, *Occupational Health and Safety Act*, *Disability Discrimination Act*, *Heritage Act*, *Health Act* and not limited to any other relevant Acts.