

**DETERMINATION OF THE BUILDING APPEALS BOARD**

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**Municipality** Shire of Nillumbik  
**Site Address** 76 Wallace Road, Christmas Hills 3775  
**Applicant** Mark Thomas Clissold

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**Class of Building** 1a, 10a  
**Section of the Building Act 1993** s160  
**Provision of Building Regulations 2006**  
**BCA Edition** 2016  
**BCA Performance Requirement** P2.2.2  
**BCA Deemed to Satisfy Provision** 3.8.1.3  
**Australian Standard**

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**Nature of Application**

1. P2.2.2 (3.8.1.3)  
To permit the finished surface level of the external paved alfresco area to be at the same level as the internal floor within the dwelling, as indicated in the submission.
  2. P2.2.2 (3.8.1.3)  
To permit the finished surface level of the northern balcony to be at the same level as the internal floor within the dwelling, as indicated in the submission.
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**Decision/s of the Panel**

1. Approved, subject to the alfresco finished floor level to have a minimum grade of 1:100 falling away from the living room opening.
  2. Refused.
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**Panel Members** Warren Knight, Jonathan Barnett, Georgia McKay  
**Date of Hearing** 11/05/2017

**ORIGINAL SIGNED**

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**Chairperson, Building Appeals Panel**

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**Registrar**

**Date signed:** 11/05/2017

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**OFFICE USE Ref:** SL : 449484

**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.