

DETERMINATION OF THE BUILDING APPEALS BOARD

Municipality City of Ballarat
Site Address 4A/320 Humffray Street North, Brown Hill 3350
Applicant Bruce Hollioake

Class of Building 1a, 10a
Section of the Building Act 1993 Section 160
Provision of Building Regulations 2006 Building Regulation 414
BCA Edition 2016
BCA Performance Requirement P2.3.1
BCA Deemed to Satisfy Provision 3.7.1.7
Australian Standard N/A

Nature of Application

1. P2.3.1 (3.7.1.7)
To permit the proposed deck to remain as constructed encroaching between the dwelling and the northern and eastern allotment boundaries, as indicated in the submission, without the minimum setback of 900mm.
 2. Building Regulation 414
To permit the proposed deck to remain as constructed abutting the northern and eastern allotment boundaries, in lieu of a minimum 1m setback, as indicated in the submission.
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Decision/s of the Panel

1. Approved, subject to the installation of fibre cement sheeting to the external face of the deck facing the allotment boundary.
 2. Approved, with the modifications or variations specified in the application.
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Panel Members Ashley Hansen, Greg Zuccala, Dang Hodinh
Date of Hearing 13/04/2017

ORIGINAL SIGNED

Chairperson, Building Appeals Panel **Registrar**

Date signed: 13/04/2017

OFFICE USE Ref: TX : 449584

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.