

**DETERMINATION OF THE BUILDING APPEALS BOARD**

---

<b>Municipality</b>	City of Maroondah
<b>Site Address</b>	6 Bridget Court, Warranwood 3134
<b>Applicant</b>	Robert & Nadia Fry

---

<b>Class of Building</b>	1a, 10a
<b>Section of the Building Act 1993</b>	s160
<b>Building Regulations 2006</b>	r414
<b>BCA Edition</b>	2016
<b>BCA Performance Requirement</b>	P2.3.1
<b>BCA Deemed to Satisfy Provision</b>	3.7.1.5, 3.7.1.7
<b>Australian Standard</b>	

---

**Nature of Application**

1. P2.3.1 (3.7.1.5)  
To permit the proposed verandah to be constructed abutting the southern and eastern allotment boundary without the required fire protection ie without an external wall with a fire rating of 60/60/60
  2. P2.3.1 (3.7.1.7)  
To permit the proposed deck to encroach between the dwelling and eastern, southern, and western allotment boundaries without the minimum setback of 900mm, as indicated in the submission.
  3. Building Regulation 414  
To permit the proposed deck and verandah to remain as constructed with a side setback varying between 120mm and 200mm, in lieu of a minimum side setback of 1.2m, and rear setback varying from 200mm to 1150mm, in lieu of a minimum rear setback of 5m.
- 

**Decision/s of the Panel**

1. Approved, with the modifications or variations specified in the application.
2. Approved, with the modifications or variations specified in the application.
3. Approved, with the modifications or variations specified in the application.

**Please note: The above approvals do not address any overlooking concerns to adjoining neighbours on the eastern and western allotment boundaries.**

---

**DETERMINATION OF THE BUILDING APPEALS BOARD**

---

**Panel Members** **Date of Hearing** **04/05/2017**

Ashley Hansen, David Graham, Elizabeth Coe, William Kong

**ORIGINAL SIGNED**

---

**Chairperson, Building Appeals Panel**

---

**Registrar**

**Date signed:** 04/05/2017

---

**OFFICE USE Ref:** TX : 449372

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.