

**DETERMINATION OF THE BUILDING APPEALS BOARD**

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**Municipality** City of Moreland  
**Site Address** 386 O'Hea Street, Pascoe Vale 3044  
**Applicant** Steve Maloney

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**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** N/A

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**Nature of Application**

1. P2.3.1 (3.7.1.5)  
To permit the verandah and deck to remain as constructed at a setback of 220mm from the northern allotment boundary, as indicated in the submission, without the required fire separation i.e. without an external wall with an FRL of not less than 60/60/60.
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**Decision/s of the Panel**

1. Refused.
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**Panel Members** **Date of Hearing** 13/04/2017

Ashley Hansen, Greg Zuccula, Dang Hodinh

**ORIGINAL SIGNED**

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**Chairperson, Building Appeals Panel**

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**Registrar**

**Date signed:** 13/04/2017

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**OFFICE USE Ref:** JCO: 449626

**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.