

## ASSESSMENT CRITERIA Regulation 79 – Side & Rear Setbacks

The Minister for Planning (in his Minister's Guideline: MG/12. June 2005) has set out the objective and decision guidelines that Council must have regard to when considering varying a design and siting standard.

**Note:** If any matter set out in the guideline is not met, then Council must refuse consent.

To assist Council in determining if the objective and decision guidelines have been met, please describe how your application meets the following appropriate assessment criteria.

**Objective:** To ensure that the height and setback of a building from a boundary respects the existing or preferred character and limits the impact on the amenity of existing dwellings.

**Decision Guidelines:** (a) the setback will be more appropriate taking into account the prevailing setback of existing building on nearby allotments; or

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**Decision Guidelines:** (b) the setback will be more appropriate taking into account the preferred character of the area, where it has been identified in the relevant planning scheme; or

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**Decision Guidelines:** (c) the slope of the allotment and or existing retaining walls or fences reduce the effective height of the building; or

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**Decision Guidelines:** (d) the building abuts a side or rear lane; or

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**Decision Guidelines:** (e) the building is opposite an existing wall built to or within 150mm of the boundary; or

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**Decision Guidelines:** (f) the setback will not result in a significant impact on the amenity of the secluded private open space and habitable room windows of existing dwelling son nearby allotments; and

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**Decision Guidelines:** (g) the setback is consistent with a building envelope that has been approved under a planning scheme or planning permit and/or included in an agreement under Section 173 of the Planning and Environment Act 1987; and

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**Decision Guidelines:** (h) the setback will not result in a disruption of the streetscape; and

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**Decision Guidelines:** (i) the setback is consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme.

**Comment:** .....  
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**INFORMATION PRIVACY:** The information supplied on this form is shared with the Victorian Building Authority, the Electoral Commission and other government agencies as required by law and in accordance with Council's Privacy Policy which is published at [www.whittlesea.vic.gov.au](http://www.whittlesea.vic.gov.au).

**NOTE:** If you choose not to provide the information sought your application may not be processed.