



REPORT AND CONSENT

Application to Council for Approval to vary the Building Regulations 2018

Regulation 86A – Private Open Space For Small Second Dwellings

PROPERTY DETAILS		
OWNERS NAME:		
LOT NO:	LP/ PS:	STREET NO:
STREET / ROAD:		
TOWN / SUBURB:		

THE AGENT/APPLICANT (It is recommended that the Relevant Building Surveyor assists with your application)	
NAME / COMPANY:	CONTACT PERSON:
POSTAL ADDRESS:	
TELEPHONE:	MOBILE:
FAX:	EMAIL:
RELEVANT BUILDING SURVEYOR:	
TELEPHONE:	MOBILE:

I hereby seek the consent and report of Council in accordance with Schedule 2 of the Building Act 1993, for variation of **Building Regulation 86A - Private Open Space For Small Second Dwellings**

OBJECTIVE
To provide adequate private open space for the reasonable recreation and service needs of residents.

INFORMATION REQUIRED FOR APPLICATION TO BE CONSIDERED:	Office Use Only
<input type="checkbox"/> Description of proposal and justification of compliance with the decision guidelines (see attached)	<input type="checkbox"/>
<input type="checkbox"/> Copy of title including plan of subdivision and any applicable covenants, agreements and/or building envelopes	<input type="checkbox"/>
<input type="checkbox"/> Fee	<input type="checkbox"/>
<input type="checkbox"/> Dimensioned site plan (to a scale of not less than 1:500) showing the proposed small second dwelling, the principle dwelling, and associated private open space(s),	<input type="checkbox"/>
<input type="checkbox"/> Floor plans of the proposed building to a scale of 1:100.	<input type="checkbox"/>
<input type="checkbox"/> Written submission regarding nearby and convenient access to public open space or communal open space	<input type="checkbox"/>

DESCRIPTION OF PROPOSAL FOR APPLICATION
(PLEASE NOTE: Unless a clear proposal is provided, this application <u>will</u> be rejected)
Nature of Proposed Works is:
Private Open Space for the small second dwelling is <i>m2 in lieu of</i> m2 as required by Building Regulation 86A(1).
Private Open Space is located <i>contrary</i> to Building Regulation 86A(1).

Privacy Notification: The personal information requested on this form is being collected by Council for the purpose of evaluating a Building application. This information will be used solely by Council for that primary or directly related purposes. The applicant understands that the personal information provided is for the purpose of evaluating a Local Laws Permit application and that they may apply to Council for access and/or amendment of the information.

ASSESSMENT CRITERIA

The Minister for Planning in Minister's Guideline (MG/12 dated 13 December 2023) has set out the objective and decision guidelines that Council must have in regard to when considering varying a design and siting standard.

DECISION GUIDELINES AND REASON FOR APPLICATION: The reporting authority may give its consent to an application for a building permit for a small second dwelling that does not comply with Regulation 86A (private open space for small second dwellings) of the Building Regulations 2018, if at least one of the following criteria apply:
(Provide comments or tick N/A)

N/A a. the location of the private open space maximises the solar orientation of the allotment; or

Comment:

N/A b. the availability of, and access to, public open space or communal open space would lessen the demand for private open space on the allotment.

Comment:

SIGNATURE

DATE

RECEIPT NO.

NOTES:

Council will consider the needs of the applicant and also the potential impact upon the adjoining properties and or infrastructure when making its decision. As such this application may be referred to the affected owners for comment prior to making a decision.

The personal information requested on this form is being collected by Council for assessment of your application for a Consent and Report pursuant to Building Regulation 86A. The personal information will be used solely by Council for this primary purpose or directly related purposes. The applicant understands that the personal information provided is for the assessment of the consent and report application and that she/ he may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer.

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