



# REPORT AND CONSENT

Application to Council for Approval to vary the Building Regulations 2018

## Regulation 86B – Accessibility 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 86B** - Accessibility For Small Second Dwellings

OBJECTIVE
To ensure that small second dwellings are provided with a clear and unobstructed path for safety and accessibility purposes, including in a case of emergency.

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"/> A set of site plans to a scale of 1:500 showing all dimensions and setbacks of the proposed building, adjoining buildings and the buildings on the adjoining allotments.	<input type="checkbox"/>
<input type="checkbox"/> Floor plans of the proposed building to a scale of 1:100.	<input type="checkbox"/>
<input type="checkbox"/> Elevations of the proposed building, including the slope of the land.	<input type="checkbox"/>
<input type="checkbox"/> Any significant vegetation on the site and on adjoining sites. (Provide photos)	<input type="checkbox"/>

DESCRIPTION OF PROPOSAL FOR APPLICATION
(PLEASE NOTE: Unless a clear proposal is provided, this application <b>will</b> be rejected)
<b>Nature of Proposed Works is:</b>
<b>Accessibility fails to comply in the following regard:</b>

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 86B (Accessibility 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. a path running between a side street or rear street adjoining the allotment and the small second dwelling will be more appropriate, taking into account the prevailing building setback within that street and whether the side street or rear street is accessible by emergency services vehicles; or

**Comment:**

- N/A  b. a path running between a side street or rear street adjoining the allotment and the small second dwelling will be more appropriate for ease of accessibility for the occupant and for emergency services vehicles, taking into account the preferred character of the area, where it has been identified in the relevant planning scheme; or

**Comment:**

- N/A  c. the path is constrained by the shape and or dimensions of the allotment; or

**Comment:**

- N/A  d. the path will be more appropriate, taking into account the desire or need to retain vegetation on the allotment; or

**Comment:**

- N/A  e. a sealed path is in conflict with the permeability objectives and decision guidelines.

**Comment:**

<b>SIGNATURE</b>		<b>DATE</b>		<b>RECEIPT NO.</b>	
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<b>NOTES:</b>
<p>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.</p> <p>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 86B. 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.</p>

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