

This is NOT a building permit – A separate building permit is required

CONSENT & REPORT

APPLICATION TO COUNCIL FOR APPROVAL
TO VARY THE BUILDING REGULATIONS 2006



Regulation 419 – OVERLOOKING

To: Municipal Building Surveyor, Hindmarsh Shire Council

PROPERTY DETAILS

Number Street

Suburb Postcode.....

I,
Owner Agent of the Owner Relevant Building Surveyor

Postal Address

SuburbPostcode

TelephoneMobile

Hereby seek the consent and report of Council in accordance with Schedule 2 of the Building Act 1993, for variation of a Building Regulation **419- Overlooking**. I have notified the owner of the property and they have consented to the application.

SignedDate

ACCOMPANYING THIS APPLICATION IS:

- Description of proposal and justification of compliance with the Minister's decision guidelines
- Copy of Title.
- Fee of \$217.50 (amended 1/7/2010)
- Two sets of site plans to a scale of 1:500 showing all dimensions and setbacks of the proposed building, the adjoining buildings and a minimum three buildings opposite the site.
- Floor plans of the proposed building to a scale of 1:100.
- Elevations of the proposed building, including the slope of the land.
- Any significant vegetation on the site and on adjoining sites. (Provide photos)
- Written comments and signatures from the adjoining owners of the allotments that could be affected by the proposal. (Comments are to be completed on the attached form and signatures must be on one of the plans submitted and must show that the affected owners have a full understanding of the application variation being sought)

Regulation 419 –OVERLOOKING

DESCRIPTION OF PROPOSAL AND REASON FOR APPLICATION

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ASSESSMENT CRITERIA

The Minister for Planning in his Minister's Guideline (MG/12 dated June 2005) has set out the objective and decision guidelines that Council must have in 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.

Objective: To limit views into existing secluded private open space and existing habitable room windows.

Decision Guidelines: The reporting authority may give its consent where a single dwelling, does not comply with regulation 419 of the Building Regulations 2006, if -

(a) the proposed building will not significantly impact on the amenity of existing dwellings on nearby allotments and or any associated secluded private open space; or

Comment

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(b) the proposed building will not significantly increase the level of overlooking of habitable room windows of existing dwellings on nearby allotments and or associated secluded private open space.

Comment

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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 will 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 408. 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.

