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

Hindmarsh Shire Council

Regulation 420 – DAYLIGHT TO HABITABLE ROOM WINDOWS

To: Municipal Building Surveyor, Hindmarsh Shire Council

PROPERTY DETAILS

Number …… **Street** ……

Suburb …… **Postcode**……

I, ……

Owner ☐ **Agent of the Owner** ☐ **Relevant Building Surveyor** ☐

Postal Address ……

Suburb ……Postcode ……

Telephone ……Mobile ……

Hereby seek the consent and report of Council in accordance with Schedule 2 of the Building Act 1993, for variation of Building Regulation ***420- Daylight to habitable room window***. I have notified the owner of the property and they have consented to the application.

Signed ……Date ……..

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 420 –DAYLIGHT TO HABITABLE ROOM WINDOWS

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 allow adequate daylight into habitable room windows of the dwelling

Decision Guidelines: The reporting authority may give its consent where a single dwelling, does not comply with regulation 420 of the Building Regulations 2006, if -

(a) the area of the window is larger than 10% of the floor area of the habitable room.

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.

A F F E C T E D O W N E R
C O M M E N T F O R M

Building Regulations 2006

I am the adjacent relevant owner of the property at the following address:

_____

_____ and

I have sighted the plans (**drawing numbers** _____) for my neighbours proposed works at:

_____

_____

I am aware that the proposed works are designed outside the siting requirements prescribed in the Building Regulations 2006 and have:

(a) ***no objection*** to Council issuing consent to the proposed siting of the building/structure pursuant to Building Regulations Part 4 or,

(b) I request that Council ***not issue*** consent to the proposed siting of the building/structure pursuant to Building Regulations Part 4.

Please clearly strike out that which is not applicable of (a) or (b) above.

Please provide your reasons for objecting to the proposal in order for Council to take into account your issue(s) for concern.

_____

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_____

_____

Please print your name here:_____

and sign here, _____and date here, _____

Note: This comment form must be signed by the legal owner of the relevant property concerned. Signatures from persons renting the property will not be accepted.

Comments to be submitted within 7 business days of application, no response after this time is considered to have consent to this application.

Please do not hesitate to contact Terry Baker from Council's Building Services Department for further information on ph. 5391 4444