

REGULATION 83

Building Regulations 2018

APPLICATION FOR 'REPORT & CONSENT'

ASSESSMENT CRITERIA – SECTION B

OVERSHADOWING OF RECREATIONAL PRIVATE OPEN SPACE



DESCRIPTION OF PROPOSAL AND REASONS FOR APPLICATION

.....

.....

.....

.....

.....

.....

The Minister for Planning in his Minister's Guideline MG/12 has set out the Objectives and Decision Guidelines in respect to **Regulation 83** that Council must have regard to when considering varying a design and siting standard.

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

OBJECTIVE

To ensure buildings do not unreasonably overshadow existing secluded private open spaces.

DECISION GUIDELINES

The reporting authority may give its consent to an application for a building permit for a principal single dwelling or a small second dwelling (as applicable) that does not comply with Regulation 83 (Overshadowing of recreational private open space) of the Regulations if all of the following criteria apply:

- a) The proposed building will not significantly impact on the amenity of the secluded private open space(s) on nearby allotments; and

Comment:

.....

.....

- b) The setback is consistent with a building envelope, if one has been approved under a planning scheme or planning permit and/or specified in an agreement under Section 173 of the *Planning and Environment Act 1987*.

Comment:

.....

.....