

APPLICATION FOR REPORT & CONSENT (Updated 2022)

FOR PART 5 - SITING | BUILDING REGULATIONS 2018



SECTION 1 <i>You must complete all applicable sections.</i>		
PROPERTY DETAILS <i>Where Works will be carried out (must be derived from Council rate records).</i>		
OWNER'S NAME:		OWNER'S CONTACT NUMBER:
OWNER'S POSTAL ADDRESS:		
STREET NO:	LOT(S): <i>(Optional)</i>	LP/ PS: <i>(Optional)</i>
STREET NAME:		
TOWN / SUBURB:		POSTCODE:
APPLICANT DETAILS <i>This is the person applying for the permit.</i>		
APPLYING AS: <input type="checkbox"/> Owner <i>(My contact details are same as above)</i> <input type="checkbox"/> Builder <input type="checkbox"/> Agent		
NAME / COMPANY:		CONTACT PERSON:
POSTAL ADDRESS:		
TELEPHONE:		MOBILE:
FAX:		EMAIL:
RELEVANT BUILDING SURVEYOR (if appointed) <i>It is recommended that you consult with the relevant Building Surveyor appointed to assess your Building Permit application prior to submitting this application.</i>		
NAME:		ORGANISATION:
ADDRESS:		
CONTACT NUMBER:		EMAIL:
SECTION 2 <i>You must complete all sections.</i>		
REGULATION REPORTING <i>Select the regulation(s) you are reporting for.</i>		
Regulation	Reporting Matter	
<input type="checkbox"/>	73	Maximum street setback not complying with Reg 73
<input type="checkbox"/>	74	Minimum street setbacks not complying with Reg 74
<input type="checkbox"/>	75	Building height not complying with Reg 75
<input type="checkbox"/>	76	Site coverage not complying with Reg 76
<input type="checkbox"/>	77	Permeability not complying with Reg 77
<input type="checkbox"/>	78	Car parking not complying with Reg 78
<input type="checkbox"/>	79	Side and rear setbacks not complying with Reg 79
<input type="checkbox"/>	80	Walls on boundaries and carports not complying with Reg 80

REGULATION REPORTING - CONTINUED

Select the regulation(s) you are reporting for.

<input type="checkbox"/>	81	Daylight to existing habitable room windows not complying with Reg 81
<input type="checkbox"/>	82	Solar Access to existing north-facing habitable room windows not complying with Reg 82
<input type="checkbox"/>	83	Overshadowing of recreational private open space not complying with Reg 83
<input type="checkbox"/>	84	Overlooking not complying with Reg 84
<input type="checkbox"/>	85	Daylight to habitable room windows not complying with Reg 85
<input type="checkbox"/>	86	Private open spaces not complying with Reg 86
<input type="checkbox"/>	87	Siting of Class 10a buildings not complying with Reg 87
<input type="checkbox"/>	89	Front fence height not complying with Reg 80
<input type="checkbox"/>	90	Fence setbacks from side and rear boundaries not complying with Reg 90
<input type="checkbox"/>	91	Fences on or within 150mm of side or rear boundaries not complying with Reg 91
<input type="checkbox"/>	92	Fences on intersecting street alignments not complying with Reg 92
<input type="checkbox"/>	94	Fences & daylight to habitable room windows in existing dwelling not complying with Reg 94
<input type="checkbox"/>	95	Fences & solar access to existing north-facing habitable room windows not complying with Reg 95
<input type="checkbox"/>	96	Fences & overshadowing of recreational private open space not complying with Reg 96
<input type="checkbox"/>	97	Masts, poles etc. not complying with Reg 97

DESCRIPTION OF PROPOSAL FOR VARIATION

Unless a clear description of the proposal is provided, this application may be delayed.

Example: 'Proposed Variation – fence setback from side boundary is ?? metres in lieu of the required setback of ?? metres.' I have added an extra page with this information.**REASON / JUSTIFICATION FOR APPLICATION**

Advice on how to answer this is at the back of this form. Council must consider the effect on the adjoining properties, the streetscape and any future owners of your property when assessing an application.

Please demonstrate why this application should be approved

1. Provide reasons why the variation to each of the applicable building regulation(s) should be applied to your situation.
2. For Regulations 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 89, please demonstrate how your proposal meets the Minister's Guidelines MG-12. The Ministerial Guidelines and Practice Notes are available from the Victorian Building Authority at www.vba.vic.gov.au/building/resources.
3. For Regulation 87 - siting of Class 10a building, please state the reason for the construction of the class 10a building on the allotment, and that you will not occupy or use the Class 10A building as a habitable building.

 I have added an extra page with this information.

SECTION 3

You must complete all sections.

DOCUMENTS REQUIRED FOR APPLICATION ASSESSMENT

The information required below is the minimum required to assess an application, additional information may be required. You will be advised once the application is checked.

Note: You may require a Planning Permit for your project, please contact Council's Statutory Planning on 03 5461 0610 for advice.

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Written description of proposal and justification of compliance with the decision guidelines (see Section 2). |
| <input type="checkbox"/> | Copy of Certificate of Title (max 6 months old) showing current owner including plan of subdivision and any applicable covenants, agreements and/or building envelopes. You can access this on the Landata website. |
| <input type="checkbox"/> | A set of site plans to an appropriate scale showing all dimensions and setbacks of the proposed building, the adjoining buildings, and the buildings on the adjoining allotments. Include a North point and any easements. |
| <input type="checkbox"/> | Floor plans of the proposed building to a scale of 1:100. |
| <input type="checkbox"/> | Elevations of the proposed building, including the slope of the land. |
| <input type="checkbox"/> | Any significant vegetation on the site and on adjoining sites - if applicable (provide photos). |
| <input type="checkbox"/> | Application Fee - Refer to current Building Services Schedule of Fees on Council's website .
Payment - An invoice will be sent once the application has been lodged. |
| <input type="checkbox"/> | Completed application form. Ensure the form is fully completed (signed and dated below). |

DECLARATION

- I confirm that the above information and the documents provided as part of this application are all true and correct.
- I confirm that a building permit has not been issued for the proposed works.
- I confirm that Building works have not commenced.
- Agent of Owner:* I declare I have been given permission to act on behalf of the owner.

APPLICANT'S SIGNATURE		DATE	
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PERSONAL INFORMATION AND PRIVACY STATEMENT

The personal information requested in this form is being collected by Council for assessment of your Report and Consent application. Council will consider the needs of the applicant as well as the potential impact upon the adjoining properties and / or infrastructure when making its decision. As such, where a comment is required from an adjoining neighbour, drawings will be forwarded to the affected adjoining neighbour.

The personal information will be used solely by Council for this primary purpose or for directly related purposes. By signing this application, the applicant understands that the personal information provided is for the assessment of the Report and Consent application and that they may apply to Council for access to and / or to amend any of the information. Requests for access and / or correction should be made to Council's Privacy Officer.

SUBMIT APPLICATION TO CENTRAL GOLDFIELDS SHIRE COUNCIL

Email a scanned / electronic copy to:

Attention: Building Services
building@cgoldshire.vic.gov.au

Post or drop off to:

Attention: Building Services
Central Goldfields Shire Council
22 Nolan Street, Maryborough, Victoria, 3465

ADVICE FOR REPORT & CONSENT APPLICATIONS SITING MATTERS

BUILDING INFORMATION SHEET (2022)



Report and Consent for Siting Matters

Report and Consent is the process in which you seek approval from Council to proceed with building or construction works that may affect community assets, infrastructure or amenity. Report and Consent applications are classified as either 'siting' or 'non-siting' matters, depending on the proposal. If a Report and Consent matter affects your proposal, a building surveyor cannot issue a Building Permit until you obtain Report and Consent from Council.

The Part 5 Siting Provisions of the *Building Regulations 2018* (the Regulations) set design regulations for amenity impact, such as maximum height, minimum setbacks, overlooking and overshadowing. If your proposal does not comply with the Siting Provisions, you must apply for Report and Consent for siting variations.

When assessing a Report and Consent application for siting matters, Building Services may consult internal departments, such as Planning or Engineering. We may also consult external authorities who have a vested interest on part of a property where the building works is proposed, for example, the relevant Water Authority or VicRoads.

Building Services review the Report and Consent application, carry out a site inspection and assess the potential impact on the streetscape and adjoining properties before making a final decision. If we approve the Report and Consent application, you can proceed to apply for a Building Permit.

If we refuse the Report and Consent application, you can:

- Revise the design to comply with the Building Regulations, or
- Appeal the Council's decision at the Building Appeals Board.

Design Considerations

Pursuant to Clause 4A of Schedule 2 of the *Building Act 1993* (the Act), Council must refuse to give consent to a design which does not comply with Ministerial Decision Guidelines for Siting Matters. Designers will need to be fully aware of these Guidelines to avoid refusal of the consent. Copies of the Building Regulations, Ministerial Guidelines and Practice Notes may be viewed at the Victorian Building Authority (VBA) website www.vba.vic.gov.au.

Building Surveyors must ensure that, where necessary, the above information is obtained before applications are referred to Council. If such information is not present, (1) consent will be refused (where such information is clearly necessary) or (2) a flawed decision may be made – for which the building surveyor may be accountable.

Persons other than Building Surveyors (such as architects, draftspersons, and owners) who apply for consent will need to be aware that Council may request further information in broad terms. Such persons must ensure they are aware of the relevant Regulations and Guidelines or use a suitably experienced advisor / consultant.

Adjoining Owner's Comments

Council will be applying the recommendations from the VBA's Practice Note 57-2018 that Council be responsible for notifying the adjoining owner that an application has been made for Report and Consent. Council will send the adjoining owner(s) the drawings of the proposed building and a comment form.

Decision Time Frame

Pursuant to Regulation 34 of the Regulations, the time after receipt of a copy of an application for the reporting authority to report on or consent to an application relating to a single dwelling under Clause 6 of Schedule 2 of the Act if report and consent is required in relation to a matter referred to in Division 2 of Part 5 is 15 business days.

However, where the application is incomplete or additional information is required, the assessment of the application will be delayed. Contact Building Services if you need an update on the timing for your application.

Appeal Rights

An owner has the right to lodge an appeal to a decision or failure to make a decision made under the Act to the Building Appeals Board (BAB). The BAB is an independent body with the responsibility to hear appeals and make decisions under the Building Act.

For more information go to www.buildingappeals.vic.gov.au.

Already constructed buildings or works commenced without prior Report and Consent.

Council cannot issue Report and Consent if works have commenced, and the work is in relation to a matter considered under the relevant Part 5 Siting Provisions of the *Building Regulations 2018*. See the VBA Practice Note 57-2018 Clause 6 for an explanation of this matter.

An application must be made on a separate application form for these matters, please contact Council Building Services for more information.

Further Information

The following sources provide key information that relates to assessment of Report and Consent Siting Matters.

Building Act and Building Regulations:

www.legislation.vic.gov.au/in-force

Access to the Act and Regulations.

Victorian Building Authority:

www.vba.vic.gov.au.

Access the Ministerial Guidelines and Practice Notes, and other technical information.

Contact Council

If you have any further questions or would like to know more about the Report and Consent process, please contact the Council Building Services team. You may also make an appointment to speak in person should you require addition information.

Council Building Services Team:

Email: building@cgoldshire.vic.gov.au

Phone: (03) 5461 0610