



South Gippsland
Shire Council

Report & Consent Application – General

Use this form to apply to vary one or more of the Building Regulations 2018 Part 5.

Application fee: \$311.80 per Regulation.

Applicant Details: Owner Agent Draftsperson Building Surveyor

Name:

Address:

Town: Post Code: Phone number: Email:

Property Details:

Lot: Plan Number: Volume: Folio:

Address:

Town: ... Post Code:

Building Permit Application Reference: **Building Surveyor:**

Credit Card Payments:

Visa MasterCard Card No:

Expiry Date: Cardholder name:

Mandatory field

I hereby declare that the information provided is true and correct. I also understand that any unlawful dishonesty may result in the refusal of this application.

I give South Gippsland Shire Council permission to debit my card of the appropriate application fee, using the information provided

Application Considerations:

Section 188A of the *Building Act* 1993 requires that Council must refuse consent to a design which does not comply with Ministerial Decision Guidelines which apply to a particular regulation. Applicants will need to be fully aware of these guidelines and demonstrate that the proposal satisfies the relevant guidelines with respect to the particular regulation to avoid an automatic refusal.

Advertising:

Section 188A of the Building Act 1993 provides that, if in the opinion of the reporting authority (Council) the application will result in a nearby allotment or property suffering detriment, it must give the owner of the allotment/property an opportunity to make a submission if they have any objections. The preferred method for gaining submissions from adjoining owners is for the applicant to submit neighbour response declaration forms at the time of application. Where ownership details are un-known Council will undertake any required advertising. Alternatively, if the applicant does not wish to obtain and submit the adjoining owner's submissions as part of their application, Council will independently undertake the advertising.

July 2023

South Gippsland Shire Council
9 Smith Street Leongatha Vic 3953
Phone: 5662 9200

council@southgippsland.vic.gov.au | www.southgippsland.vic.gov.au



South Gippsland
Shire Council

Correspondence:

If any requested information is missing your application will not be assessed. We will only assess what you apply for - so if a second application is needed, e.g. for further variations, then a further processing fee will apply. All correspondence and decision outcomes will be sent via e-mail, unless otherwise requested. By providing your e-mail address you agree that a hard copy of the approval/refusal will not be sent via Australia Post in the mail.

Privacy statement:

The information requested on this form is collected by Council for the purpose of processing the application. The information will be used solely by Council for that primary purpose or directly related purposes.

Tick	Reg	Reporting Matter	Fee
<input type="checkbox"/>	73 (2)	Setback from a street boundary not complying with reg. 73	
<input type="checkbox"/>	74 (4)	Setback from a street boundary not complying with reg. 74	
<input type="checkbox"/>	75 (4)	Building height not complying with reg. 75	
<input type="checkbox"/>	76 (4)	Site coverage not complying with reg. 76	
<input type="checkbox"/>	77 (3)	Impermeable surfaces covering more than 80% of an allotment area	
<input type="checkbox"/>	78 (6)	Car parking spaces not complying with reg. 78	
<input type="checkbox"/>	79 (6)	Side or rear boundary setbacks not complying with reg. 79	
<input type="checkbox"/>	80 (6)	Walls or carports not complying with reg. 80	
<input type="checkbox"/>	81 (6)	Building setbacks not complying with reg. 81 (daylight to existing habitable room window)	
<input type="checkbox"/>	82 (5)	Building setbacks not complying with reg. 82 (solar access)	
<input type="checkbox"/>	83 (3)	Building design not complying with reg. 83 (overshadowing of secluded private open space)	
<input type="checkbox"/>	84 (9)	Window or raised open space not complying with reg. 84 (overlooking)	
<input type="checkbox"/>	85 (3)	Building design not complying with reg. 85 (daylight to new habitable room window) 85	
<input type="checkbox"/>	86 (3)	Private open space not complying with reg. 86	
<input type="checkbox"/>	87 (2)	Siting of appurtenant Class 10 buildings	
<input type="checkbox"/>	89 (3)	Front fence height not complying with reg. 89	
<input type="checkbox"/>	90 (2)	Fence setback on side or rear boundary not complying with reg. 90	
<input type="checkbox"/>	91 (5)	Length or height of side or rear boundary fence not complying with reg. 91	
<input type="checkbox"/>	92 (2)	A fence within 9m of an intersection	
<input type="checkbox"/>	94 (6)	Fence setback not complying with reg. 94 (daylight to existing habitable room window)	
<input type="checkbox"/>	95 (3)	Fence setback not complying with reg. 95 (solar access)	
<input type="checkbox"/>	96 (3)	Fence design not complying with reg. 96 (overshadowing of secluded private open space)	
<input type="checkbox"/>	97 (2)	Fence, pole, aerial, antenna, chimney flue pipe or other service pipe	
<input type="checkbox"/>	109 (1)	Projecting beyond street alignment	
<input type="checkbox"/>	134 (2)	Buildings above or below certain public facilities	
<input type="checkbox"/>	153 (2)	Report and consent for building in areas liable to flooding	
<input type="checkbox"/>	154 (1)	Construction on designated land/works	
		Total Fee	\$



South Gippsland
Shire Council

Description of proposed work and variations being requested, including applicable Minister's Guidelines:

Minimum/Maximum being applied for: _____

Minimum/Maximum allowed by Regulations: _____

Example:

I am applying to vary Building Regulation 74 "Minimum Street Setback". We wish to build a new dwelling with reduced front setback of 8.5 metres instead of the required 9 metres due to the slope of the allotment.

Minimum/Maximum being applied for: ____ Street setback of 8.5 metres

Minimum/Maximum allowed by Regulations: ____ Minimum Street Setback 9 metres

Checklist:

Please provide the following information to support your application:

An application for Report and Consent with respect to the Building Regulations siting requirements must contain the following:

A completed application form.

Current Copy of Title, including the title diagram and any covenants, caveats or Section 173 agreements

Available online: www.landata.vic.gov.au

One set of site plans showing property boundaries, existing structures, side view with dimensions, and aerial view with dimensions.

Building Permit application form (from your Building Surveyor, if available)

A written submission which clearly outlines the nature of the request and demonstrates compliance with the objectives of the Ministers Decision guidelines. See below for the website link:

http://www.vba.vic.gov.au/_data/assets/pdf_file/0006/18789/Ministers-Guidelines-MG-12.pdf

Application fee of \$311.80 (non-refundable). Payments via cheque and in-office can only be accepted with hard copy submissions.

Completed and signed neighbour response form (for each neighbour who may be impacted by your proposal).

Payment Options



In Person

Please present this form with payment and supporting documents to the Council Offices at

9 Smith Street, Leongatha Vic 3953

**Cash, cheque, credit card, and eftpos available*



By Mail

Please post this form with payment and supporting documents to

South Gippsland Shire Council,
Private Bag 4, Leongatha Vic 3953

** Cheques or money orders – cheque payable to South Gippsland Shire Council*

South Gippsland Shire Council

9 Smith Street (Private Bag 4)

Leongatha Vic 3953

Telephone: 03 5662 9200

Facsimile: 03 5662 3754

Email: council@southgippsland.vic.gov.au

Website: southgippsland.vic.gov.au



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Shire Council

Report & Consent – Neighbour's Response

Building Act 1993

Building Regulations 2018

PART A: TO BE COMPLETED BY APPLICANT

Property details: (To which Report & Consent is requested)

Number:	Street:		
Locality:		Post Code:	

A request is being made for the Report and Consent of the Municipal Building Surveyor to vary the Building Regulations 2018:

Proposed Building work: _____

Building Regulation applied for: _____

Specific non-complying element: _____

Minimum/Maximum allowed by Regulations: _____

Minimum/Maximum being applied for: _____

PART B: TO BE COMPLETED BY ADJOINING LAND OWNER/S

RESPONSE:

I/We have viewed the plans and documentation of the above-mentioned development. After taking in to account the nature of each variation requested, the impact on our property and the implications of the variation to the Building Regulations 2018 being sought, I/We

Offer no objection to the consent being granted, or

Object to the variation being sought on the following grounds:

ADJOINING OWNERS:

Name(s)_____

Address_____Phone_____

Adjoining Owner Signature_____Date _____

Adjoining Owner Signature_____Date _____

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