

Report & Consent Application – General



Application fee: **\$461.50 per Regulation**

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

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 Payment:

Visa

Mastercard

Credit Card number:

Expiry date:

Cardholder name: _____

Payment Options

In Person Please present this form with payment and supporting documents to: Council Offices 9 Smith Street Leongatha VIC 3953 <i>*Cash, cheque, credit card, and eftpos available.</i>	By Mail Please post this form with payment and supporting documents to: South Gippsland Shire Council Private Bag 4 Leongatha VIC 3953 <i>*Cheques or money orders - Cheque payable to South Gippsland Shire Council</i>	 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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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 unknown 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.

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.

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

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.

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 \$461.50 (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).

South Gippsland Shire Council

9 Smith Street (Private Bag 4) Leongatha, VIC, 3953

Phone: 5662 9200

Fax: 5662 3754

Email: council@southgippsland.vic.gov.au



South Gippsland
Shire Council

SOUTH GIPPSLAND SHIRE COUNCIL

Report and Consent – Neighbour's Response Building Act 1993 Building Regulations 2018



PART A: TO BE COMPLETED BY APPLICANT

Property details: (To which Report and 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 grants, or

Object to the variation being sought on the following grounds:

ADJOINING OWNERS:

Name/s: _____

Address: _____

Phone Number: _____

Adjoining Owner Signature: _____ Date: _____

Adjoining Owner Signature: _____ Date: _____